

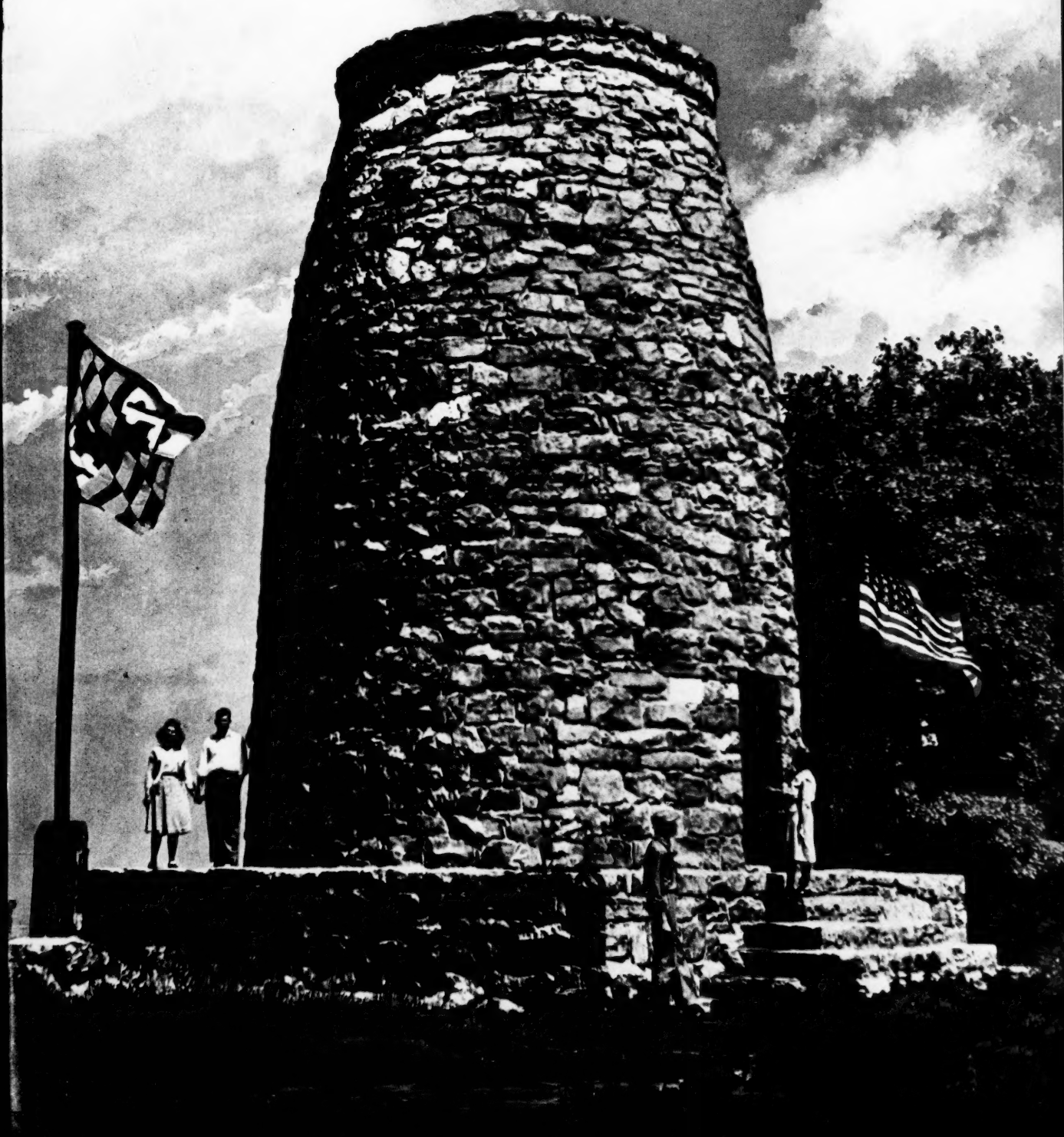
25 CENTS  
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# LIBERTY

WASHINGTON  
D. C.

A MAGAZINE OF RELIGIOUS FREEDOM



## **RELIGIOUS LIBERTY ASSOCIATION**

We believe in God, in the Bible as the word of God, and in the separation of church and state as taught by Jesus Christ; namely, that the church and the state have been placed side by side, each to work in its respective sphere. (Matt. 22:21; John 18:36.)

We believe that the Ten Commandments are the law of God, and that they comprehend man's whole duty to God and man.

We believe that the religion of Jesus Christ is comprehended in the principle of love to God and love to our fellowman, and thus this religion needs no human power to support or enforce it. Love cannot be forced.

We believe in civil government as divinely ordained to protect men in the enjoyment of their natural rights, and to rule in civil things, and that in this realm it is entitled to the respectful and willing obedience of all.

We believe it is the right and should be the privilege of every individual to worship or not to worship, or to change or not to change his religion, according to the dictates of his own conscience, but that in the exercise of this right he should respect the equal rights of others.

We believe that all legislation which unites church and state is subversive of human rights, potentially persecuting in character, and opposed to the best interests of the church and of the state; and therefore, that it is not within the province of human government to enact such legislation.

We believe it to be our duty to use every lawful and honorable means to prevent the enactment of legislation which tends to unite church and state, and to oppose every movement toward such union, that all may enjoy the inestimable blessings of religious liberty.

We believe in the individual's natural and inalienable right of freedom of conscience, and the right to profess, to practice, and to promulgate his religious beliefs; holding that these are the essence of religious liberty.

We believe that these liberties are embraced in the golden rule, which says, "Whatsoever ye would that men should do to you, do ye even so to them."



**RELIGIOUS LIBERTY ASSOCIATION**

6840 Eastern Avenue, Takoma Park, Washington 12, D.C.

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The First Monument to George Washington

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## Our Cover Picture

On the old national pike in western Maryland, between Frederick and Hagerstown, lies the town of Boonsboro. Not far away is historic South Mountain, where one of the battles of the Civil War was fought. On the summit of this mountain of rock is located the structure pictured on our cover, the first monument ever erected to the memory of George Washington. It was first built by the citizens of Boonsboro on the Fourth of July in the year 1827.

Because of the fact that it is now located in a State park, and is more accessible than in former years, it will doubtless be visited by an increasing number of tourists and history-minded visitors during the coming years.

A more detailed account of the history of this most interesting monument will be found in one of the articles in the latter half of this magazine.

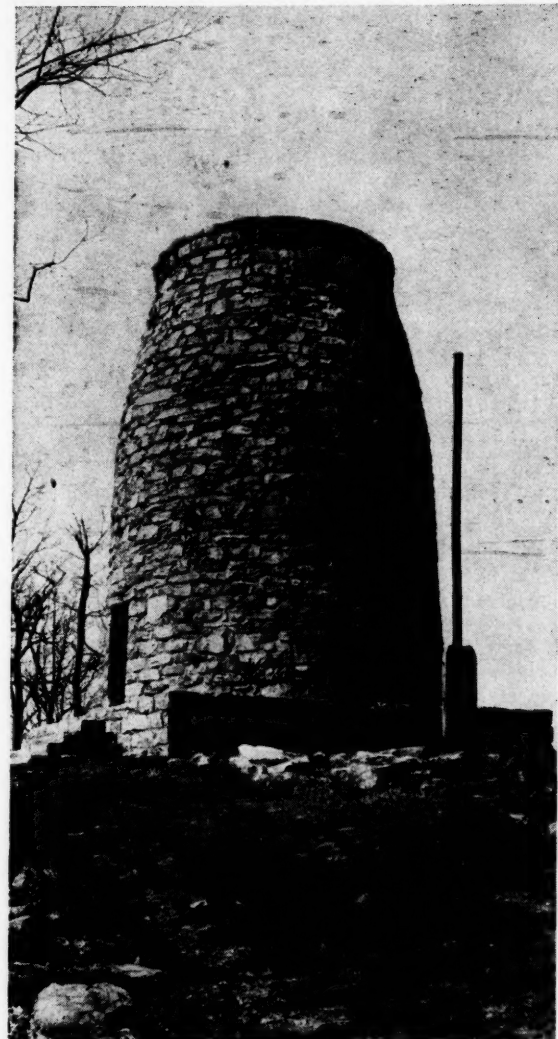
Mr. Robert I. Palmer, who extended every courtesy on our recent visit, is the superintendent of this scenic spot, known as the Washington Monument State Park. The cover picture shows the edifice flanked on the left by the Maryland State flag, and on the right by the national emblem. Our cover was put into color from a photograph by Ollie Atkins and is reprinted by special permission of the "Saturday Evening Post." It was copyrighted in 1947 by the Curtis Publishing Company.



## Back Cover

A Parable on Intolerance

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In This Sesquicentennial Year It Is Fitting That We Remember the First Monument Ever Erected to the Memory of Our First President

**LIBERTY** is the successor of the American Sentinel, whose first number was published in 1886, at Oakland, California. Its name was changed in 1906 to **LIBERTY**, under which name it has been published quarterly by the Review and Herald Publishing Association, Takoma Park, Washington 12, D.C. Entered as second-class matter, May 1, 1906, at the post office at Washington, D.C., under the Act of Congress of March 3, 1879. Subscription rates—one year, \$1; club of twelve subscriptions to separate addresses, \$5; five or more copies mailed by publishers to five addresses or to one address, postpaid, each 20 cents. No subscription accepted for less than one year. Remit by post office money order (payable at Washington, D.C., Post Office), express order or draft on New York. Cash should be sent in registered letter. When a change of address is desired, both old and new addresses must be given. No papers are sent except on paid subscriptions. Any person receiving **LIBERTY**: A Magazine of Religious Freedom without having subscribed may feel free to accept it.





1918-1919



**SIXTH CONGRESS OF THE UNITED STATES:**  
**AT THE SECOND SESSION.**  
**Begun and held at the city of WASHINGTON, in the territory of Columbia, on**  
**Monday, the seventeenth of November, one thousand eight hundred.**

**An ACT** extending the privilege of franking letters to the delegate from the Territory of the United States, northwest of the river Ohio, and making provision for his compensation.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That*  
*the present delegate to Congress from the Territory of the United States, northwest of the river Ohio, and every future delegate from the said Territory,*  
*shall be entitled to the privilege of sending and receiving letters, free of postage, on the same terms, and under the same restrictions, as are provided for*  
*the members of the Senate and of the House of Representatives of the United States, by the act, intitled "An Act to establish the Post Office of the United States".*  
*Sec. 2. And be it further enacted, That the present Delegate from the aforesaid Territory be authorized to receive, free of postage, under*  
*the said restrictions, any letters directed to him, and which shall have arrived at the seat of government, prior to the passage of this act.*  
*And be it further enacted, That the said delegate from the Territory of the United States*

Facsimile of a Portion of an Interesting Document, the First Act of Congress After Moving Into the New Capitol at Washington. It Had to Do With the Privileges of a Delegate From the Northwest Territory

## Religious Liberty and the Washington Sesquicentennial

By WILLIAM H. HACKETT

**T**HIS YEAR hundreds of thousands of Americans will make pilgrimages to Washington, D.C., to participate in, or witness events connected with, the sesquicentennial celebration of locating the nation's capital on the banks of the Potomac. This year marks the 150th year of our capital in this city, which was named after the nation's first President.

While this founding anniversary celebration is in progress it will afford Americans and visitors from abroad an opportunity to visit shrines and monuments to many of our early statesmen, whose great contribution to the structure of our form of government ensured for all our citizens, of varying races and creeds, freedom of religious worship.

They will also have an opportunity to see at first hand the originals of two of the world's greatest documents of freedom: our Constitution, with its Bill of Rights, and our Declaration of Independence.

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The Statue of "Freedom" That Crowns the Dome of the United States Capitol Has Been Chosen as the Emblem of the National Capital Sesquicentennial. Next to the Statue of "Liberty" in New York Harbor, This Statue Is Perhaps America's Most Famous. This Bronze Lady, "Freedom," Has Stood on Top of the Capitol Ever Since December 2, 1863

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Philadelphia, whence the seat of government was moved, was the cradle of our independence and institutions of our freedoms, but Washington has become the treasure vault for the physical and spiritual preservation of the great documents ensuring each of us against encroachment on our religious beliefs. True, Washington has been the scene of attempts of zealots to make it the proving ground for religious legislation—designed to force this or that religious mandate on our people—but the principles of Washington, Jefferson, Madison, and others have withstood assault. During the early hectic days of the Continental Congress the seat of government was like that of the residence of the nomads. For instance, in the year 1777 alone, the Congress met in Baltimore, Philadelphia, Lancaster, and York. In 1783 the members of the Congress were fairly settled in Philadelphia when mutinous Continental soldiers, bent on getting their overdue pay, routed the legislators and forced them to move the seat of government to Princeton, New Jersey. This emphasized the need for a permanent "federal town," and talk of its location became insistent. So strong, in fact, that Congressmen saw

in the rivalry among towns a great threat to unity. Seeking a compromise, Congress ordered a survey along the Potomac River and another along the Delaware River.

Although a site on the Delaware River was selected, the colonies to the South were not at all pleased, and the project lay dormant.

Our Constitution was drafted at a convention in Philadelphia in 1787, and by June of the following year, a sufficient number of States had ratified it to set up Congress under the new Constitution. The first Congress met in New York City on March 4, 1789, and subsequently elected George Washington the first President.

It was by a bit of political horse trading that what is now Washington became the permanent seat of government and the dissolution of the Union in its infancy was avoided. The North was seeking enactment of Hamilton's "assumption bill," by which the Federal Government would assume the war debts of the States. The South was seeking the seat of government. At a strategy meeting, opposing leaders were Jefferson's guests at luncheon, and a switch in votes was agreed upon whereby sufficient Southern votes would be switched to pass the "assumption bill" and sufficient Northern votes would be switched to have the capital located on the banks of the Potomac. Legislation was passed July 16, 1790, authorizing the selection of a site not exceeding ten miles square somewhere in the Potomac area, and the President was to choose the site.

The present location was selected, and President Washington and Pierre Charles L'Enfant began laying out the scheme of streets and location of the Capitol. Washington died before the capital moved to the banks of the Potomac, but when Congress adjourned May 15, 1800, in Philadelphia, President Adams directed his cabinet to arrange the affairs of their departments so that "the public offices may be opened

in the City of Washington . . . by the 15th of June."

Thus the personnel of government, consisting of about 126 persons, moved bag and baggage to the new site on the banks of the Potomac.

The growth of the city was slow; so slow, in fact, that Captain Marryat wrote in 1838 that "the misfortune is that the Capitol wants a city. There it stands, reminding you of a general without an army."

Charles Dickens' version of Washington in 1842 was that it consisted of "spacious avenues that begin in nothing and lead nowhere, streets a mile long that only want houses, roads and inhabitants; public buildings that need but a public to be complete; and ornaments of great thoroughfares which only need great thoroughfares to ornament."

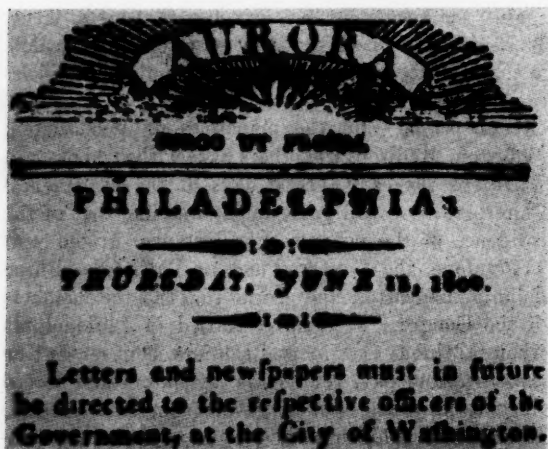
But Dickens would have a vastly different version if he were to return today, and as he would travel those thoroughfares, which have now become the crossroads of the world, he would also find along them striking reminders of American freedoms and of religious liberty.

Starting with the central figure of the city of Washington—the Capitol itself—the sesquicentennial visitor will first be impressed with the figure atop the dome. This nineteen-foot bronze statue is known as *Freedom*. It was designed by Thomas Crawford, and although the work on the original plaster model was started in the 1850's, the statue of *Freedom* was not placed on the dome until December 2, 1863. The plaster model from which the bronze cast was poured may be seen in another noted Washington building—the Smithsonian Institute.

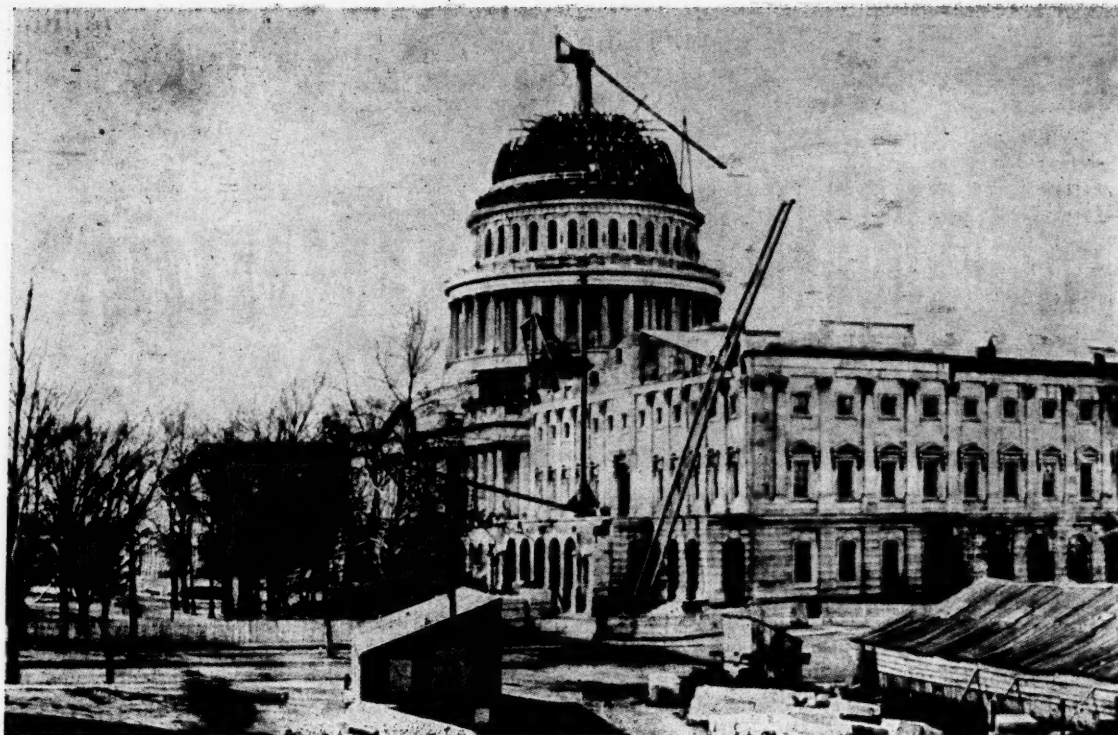
Throughout the halls of Congress are found busts and statues of many great men in our history; favorite sons of the States, who have been selected for statues placed in Statuary Hall, or in other sections of the mammoth building. Many of these were mentioned in our last article in the story of Statuary Hall.

Art work in the rotunda of the Capitol includes the *Embarkation of the Pilgrims*, reminding us that our earliest citizens came here to have religious freedom, and a picture of the *Signing of the Declaration of Independence* symbolizes our initial step for that and other freedoms.

In the old Senators' reception room in the Senate wing of the Capitol is a fresco by Brumidi entitled *Washington, Jefferson and Hamilton in Conference*. Great statements on religious liberty were uttered by these men. At such a conference Washington might have been heard to say, as he did say on another occasion: "Every man who conducts himself as a good citizen, is accountable to God alone for his religious faith, and should be protected in worshiping God according to the dictates of his own conscience." To this Jefferson might add, as he said in his Virginia Act for Establishing Religious Freedom: "Whereas



Clipping From a Philadelphia Newspaper Dated June 12, 1800. Notice That It Gave Just Three Lines to the Fact that the Capital Was Moving From Philadelphia to the City of Washington



This Photograph Shows the Placing of the Cast-Iron Girders to Form the Curve of the Dome of the Capitol. The Work Was Started Before the Civil War Began, but Was Not Completed Until 1865. The Building of This Dome Was Considered a Marvel of Engineering Skill in Its Day

THIS ILLUSTRATION AND THOSE ON PAGES 5 AND 6 ARE USED THROUGH THE COURTESY OF THE "PUBLIC AFFAIRS PRESS," WASHINGTON, D. C.

Almighty God hath created the mind free; that all attempts to influence it by temporal punishments or burthens, or by civil incapacitations, tend only to beget habits of hypocrisy and meanness, and are a departure from the plan of the Holy Author of our religion, who being lord both of body and mind, yet chose not to propagate it by coercions on either, as was in His almighty power to do."

And then at this conference Hamilton would remind us that "the sacred rights of mankind are not to be rummaged for among old parchments or musty records. They are written, as with a sunbeam, in the whole volume of human nature, by the hand of Divinity itself, and can never be erased or obscured by mortal power."

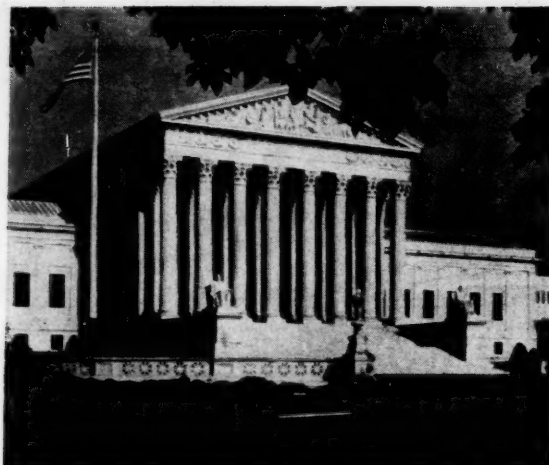
Within the legislative halls of the Capitol from time to time drives are launched for this or that legislation which would curb or promote religion in one form or another, but these efforts have been successfully repulsed in the determination to preserve the great principle of separation of church and state.

Across the parkway from the Capitol is the Library of Congress, the idea for which was contributed by the great exponent of religious liberty, Thomas Jefferson, when he left his library to Congress. Now the largest

library in the world, with its more than five million volumes—a great number of which deal with this subject of man's right to a free choice of his religion—this building also holds two of the most cherished documents having to do with our liberties and which the sesquicentennial visitors will not want to overlook. They are our Constitution and Declaration of Independence in their original form as finally approved by our early patriots.

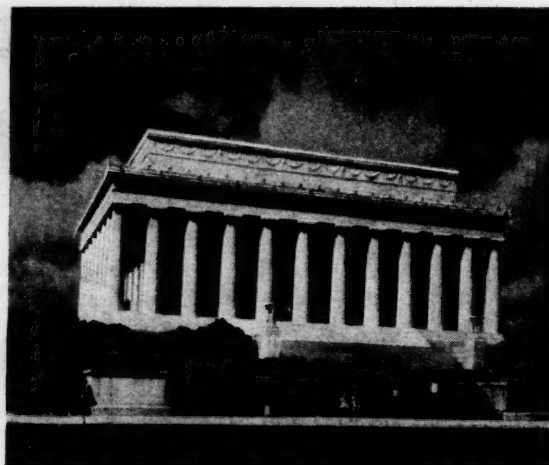
Men not only risked their lives to draft these great masterpieces, but have since risked their lives to preserve them. These were among the papers moved from Philadelphia to Washington 150 years ago and placed in the vaults of the Treasury. Later, however, they were placed in a Government building known as the War Office, and when the British approached the capital in August, 1815, three clerks, Stephen Pleasonton, John Graham, and Josiah King stuffed these vital papers and others into coarse linen sacks and hurried them off to an unoccupied grist mill in near-by Virginia. However, the presence of a cannon factory near by led to the belief they might be in danger here, so they were moved to a vacant house near Leesburg, about thirty-five miles from Washington, locked inside, and the key given a minister living in the community. On the night of August 24 the British applied the torch to the Government buildings in Washington, but these sacred documents were preserved for our generation. The papers remained in





T. E. MARTIN

One of the Most Beautiful Structures the Visitor to Washington Should See Is the White Marble Building Erected as a Permanent Home for the Supreme Court of the United States



Another One of the Many Buildings the Sesquicentennial Visitor Should Visit Is the Lincoln Memorial on the Mall Near the Potomac River—a Fitting Tribute to the Great Emancipator

the archives of the State Department until September 29, 1921, when President Harding, under an act of Congress, directed that the Declaration of Independence and the Constitution be transferred from the State Department to the Library of Congress. It was President Harding's wish that this move would "satisfy the laudable wish of patriotic Americans to have an opportunity to see the original fundamental documents upon which rest their independence and their government."

From 1924 until December 26, 1941, a few days after our entrance into World War II, these documents rested in their specially constructed cases in the Library of Congress, but on the latter date were hermetically sealed in a waterproof bronze container and removed to a place of great security. They were returned to the Library of Congress on September 20, 1944, and are again available for view by citizens of all lands.

Sesquicentennial visitors who will have in mind the religious-liberty principles in connection with our 150th anniversary will next pause before the towering Washington Monument to the west of the Capitol. Facing the Capitol on a hill several blocks away, it reminds us to render unto the Government those things to which the Government is entitled, and then as we note its spike of stone pointing heavenward like a mammoth finger, we are reminded also to render unto God those things which are God's.

The monument stands as a symbol of George Washington's firmness on the matter of religious freedom, as he said, "If I could have entertained the slightest apprehension that the Constitution framed in the convention where I had the honor to preside might possibly endanger the religious rights of any ecclesiastical Society, certainly I would never have placed my signature to it; and if I could now conceive that the

general government might ever be so administered as to render the liberty of conscience insecure, I beg you will be persuaded that no one would be more zealous than myself to establish effectual barriers against the horrors of spiritual tyranny, and every species of religious persecution."

And across the tidal basin stands a monument to the great pioneer of religious freedom in our founding documents, who stood beside Washington in the beginning of our Government. This is the statue of Thomas Jefferson, better known as the Jefferson Memorial. His immortal words concerning the nature of our Government are engraved on the interior walls of the memorial housing his statue.

Elsewhere in Washington, in its parks and in its multitudinous circles at street intersections, will be found statues of great Americans who had firm convictions about separation of church and state and religious freedom.

In the Mall, near the Capitol, for instance, is an equestrian statue of General U. S. Grant, who said, "Keep the church and state forever separate." There are statues of Daniel Webster, Andrew Jackson, and others whose comments on this subject have been repeated in this publication from time to time.

And then to seal in our memories the sesquicentennial of the location of the Capitol in Washington, and linking with it the thought that this city is now the

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**Courage . . . my countrymen! our contest is not only whether we ourselves shall be free, but whether there shall be left to mankind an asylum on earth for civil and religious liberty.**

**—ADAMS, 1776.**

---

repository of great documents and statements on religious freedom, we should pause before the beautiful Lincoln Memorial and meditate on Lincoln's words in a speech at Edwardsville, Illinois, September 13, 1858, when he said: "What constitutes the bulwark of our own liberty and independence? It is not our frowning battlements, our bristling seacoasts, our Army and our Navy. These are not our reliance against tyranny. All of these may be turned against us without making us weaker for the struggle. Our

reliance is in the love of liberty which God has planted in us. Our defense is in the spirit which prizes liberty as the heritage of all men, in all lands everywhere. Destroy this spirit and you have planted the seeds of despotism at your own doors. Familiarize yourself with the chains of bondage, and you prepare your own limbs to wear them. Accustomed to trample on the rights of others, you have lost the genius of your own independence and become the fit subjects of the first cunning tyrant who rises among you."

## Freedom of Religion in South America

### How It Looked to a Traveler

By FRANK H. YOST, Ph.D.

**T**HERE ARE TEN republics in the continent of South America. The existence of so many free governments would seem to indicate a love of liberty. Love of liberty is indeed a fact in South America. Regard for religious liberty is less obvious.

A discussion of religious liberty on that continent involves inevitably some generalizations. It is true that generalizations are dangerous. We must, however, take the risk of making some.

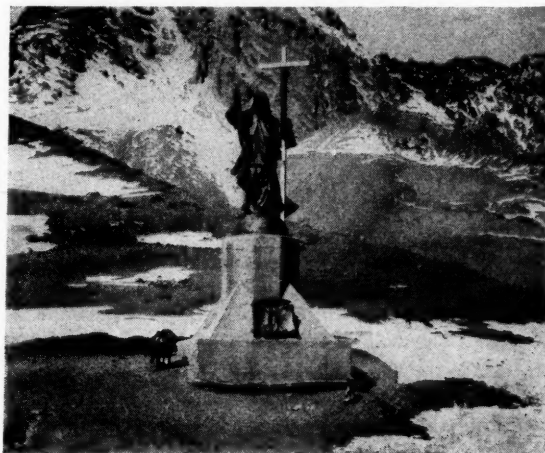
One of these is that the ten independent lands of South America are rather ten separate political entities than differing nations. All the peoples of South America have a common language and cultural background, differing in language only in Brazil. Their separation into political communities has resulted from accidents of history, or from the particular choice of those who formed the republics.

As an exception, cognizance must, of course, be taken of the influence of large masses of immigrants in South America. Huge numbers of Italians and Spanish, with a great many Swiss (Italian-French and German-speaking), and thousands of Germans, have come from the continent of Europe into South America. There are colonies of British, and also colonies of North Americans, from the United States and some from Canada. Note must be made also of the thousands of Indians who constitute a large percentage of the population in the republics of Bolivia and Peru.

But South America as a continent is far more a cultural unit than, for instance, Europe.

A second generalization must be made. The struggle for political liberty which the people of South America made successfully a century and a quarter ago has given to our neighbors to the south a tradition of liberty. They revere as national heroes those who led their ancestors into political freedom.

But it must be remembered in evaluating this that there is in most South American countries a land-owning class, wealthy and conservative. Opposite these in the social ladder is the large peon class, with too little economic opportunity and too little education, either formal or by way of general information. The middle class, by whom liberty is usually most heartily sought after and maintained, is still numerically small and politically weak.



EWING GALLOWAY

"Christ of the Andes," an Impressive Monument Overlooking the Border of Chile and Argentina, Which Commemorates the Peaceful Settlement of the Boundary Dispute of 1900. An Inscription Reads: "Sooner Shall These Mountains Crumble Into Dust Than Argentines and Chileans Break the Peace to Which They Have Pledged Themselves at the Feet of Christ the Redeemer"



ERWING GALLORAY

Argentines Are Proud of Iquazu Falls, Far Back in the Jungle, on the Northern Border. This Natural Wonder Is Generally Regarded as One of the Most Scenic Spots in South America

Again, there is in South America a religion, the Roman Catholic, seemingly dominant. We know this dominance is only apparent when we learn that in some countries it is estimated that on the average not more than 10 per cent of the population is found attending mass on Sundays and feast-days. Again, it is said that less than 50 per cent of the marriages are performed under the blessing of the priests. But in South America as elsewhere, and always in its history, Roman Catholicism has no high regard for genuine religious liberty. Tolerance is manifested under pressure of expediency, religious liberty, not.

There is constitutional separation of church and state in most of the South American countries. Where this is the case it naturally proves an aid to the maintenance and progress of religious liberty. Such separation is, however, not always maintained in fact. The people have sometimes failed to make the most of their constitutional guarantees.

Just here is the difficulty. Much of what the North American hears about the lack of religious liberty in South America is a result, not so much of governmental interference in the field of religion, as of what people have done in some communities against "foreign" religion under the leadership of Roman Catholic priests. I was in one good-sized, neat, Protestant chapel, and was shown on the outside walls the marks of stones thrown by fanatics urged on by the local padres. Windows had been completely shattered by better-aimed missiles. I was shown the new walls surrounding the chapel property, built higher than the old ones, which had been torn down by mobs. The

piles of garbage and rubbish that had been thrown into the chapel yard had been removed.

I talked through an interpreter to an old Indian in the Altiplano where, at an altitude of 12,000 feet above sea level, Lake Titicaca lies like a painted blue sea. This native Protestant Christian told how his Indian neighbors had charged him with tearing down the cross at the top of the community's "Calvary" hill; and how he was dragged off to the police to be punished for his supposed sacrilegious act. He arrived before the police magistrate bruised and bloody from the maltreating he had received, but was released because he was so obviously innocent of the charges against him.

A missionary of one of the largest Protestant denominations in the world told me how his daughter was seized on the street by a passer-by who pressed a lighted cigarette into her ears. This same missionary told of his home's being stoned, and the lives of himself and his family threatened. Enough stories of this kind could be told to fill the pages of this edition of *LIBERTY*, and more.

But this would give a warped picture of conditions in South America. There are too many places where the populace can be aroused by intolerant priests to form mobs for attacking evangelical meetings and the homes of Protestant believers. There are too many places where the police wink at, or do too little to stop, such violence, even where constitutionally church and state are separate. The range from such manifestations of intolerance through the areas where criticism of Roman Catholicism must be expressed



with caution, to where the evangelistic faith can be preached freely, and religious literature distributed without let or hindrance, is wide. This emphasizes the fact that lists of specific occurrences to illustrate religious liberty or the lack of it may give as blurred a picture as broad generalizations.

Protestant missions have been active in South America for a hundred years or better. There has been especially marked Protestant activity there during the last fifty or sixty years. This has posed to the Roman Catholic Church a problem to which it has been slow to react. During the nineteenth century the priesthood took pretty much for granted its controlling power among South American peoples, and the charge that because of its supposedly strong position it did too little cannot be refuted.

For the last quarter of a century, however, there has been a great revival of activity on the part of the Roman Catholic Church. This has been to too great a degree merely an effort to counteract what Protestants have been endeavoring to do. But the church has also sought to do some positive missionary work. Hundreds of Catholic missionaries have come into South America from the United States and elsewhere.

A direct result has been an increasing challenge to the religious liberty that Protestants have enjoyed in many places. Everyone knows of the determined effort made by Roman Catholic authorities in this country to persuade the Department of State of the United States to keep Protestant missionaries from entering South American countries, and to prevent the return of experienced missionaries from furlough. These efforts were all too successful.

An endeavor has been made also to show that in general the people in South America have resented the presence of Protestant missionaries. This certainly is not so. Space need not be taken in this short article to develop this point, since Mr. George P. Howard, in his penetrating and well-documented little book *Religious Liberty in South America?* has dealt most effectively with this attempt of certain Roman Catholics to discredit Protestant missionaries. The fact is that South Americans, except those blinded by prejudice, look for the most part with friendly eyes upon Protestant missions.

Thoughtful men in South America insist that it is a good thing for the Roman Catholic Church to benefit by the competition of Protestant missions. The church, they say, has too long been able to take for granted its dominating position in society, and it will do much better work for its communicants in the presence of Protestant competition.

Another claim that has been made by a reviving Catholicism in South America is that national unity requires social and religious uniformity. This phrase has altogether too familiar a sound. If there is any statement that can have attached to it a charge of

medievalism, this is it. It is this contention that religious uniformity is necessary to the harmony and progress of society which formed the background for much of the persecution of the Middle Ages. The contention was not true then, and it is not true now, whether in South America or elsewhere in the world. Thoughtful people in South America do not believe that it is true, and will not see it carry out its logical effects if they can possibly help it.

However, the observer senses a difficulty in South American thinking on the subject of religious liberty. Too much of what one reads and hears on the question is really an advocating of tolerance rather than genuine religious liberty. This, of course, reflects the European attitude. It is also a part of the Catholic heritage. Too much cannot be said, everywhere, all the time, to draw clearly a line of definition between tolerance and religious liberty. It is not enough that one be permitted to be free. There must be a recognition that society dare not permit men to be anything else but free. This essential freedom should exist in the realm of religion, and in religion in relation to politics, as well as in every other field.

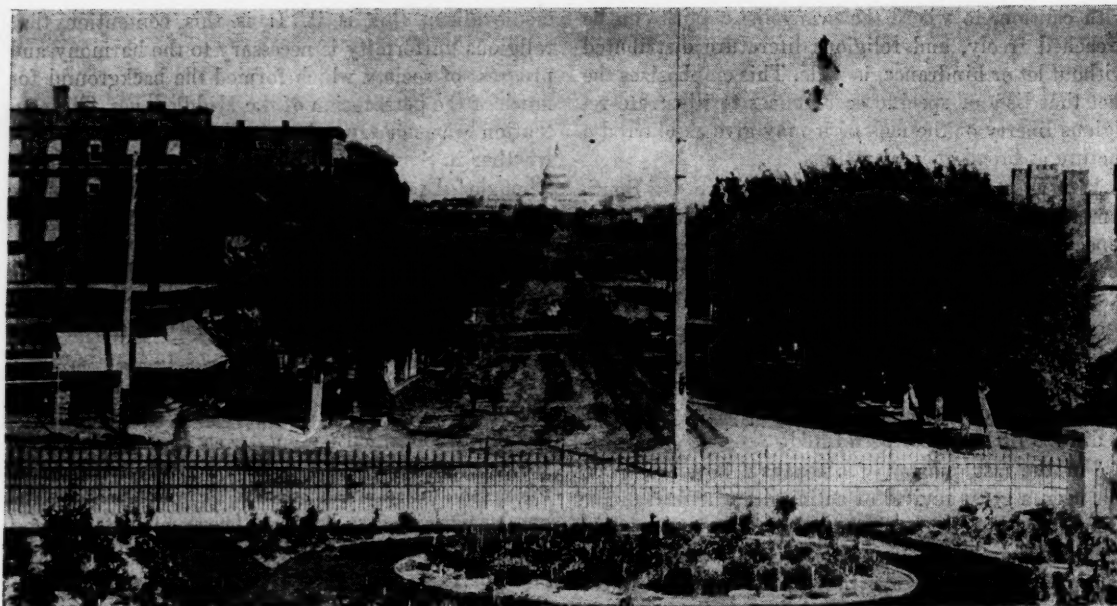
Forward-looking South Americans are vigilant for the maintenance of religious liberty. They have seen its benefits. They are enjoying its blessings. Why is the Catholic Church unable to see this? It should, because the Roman Catholic Church has nowhere achieved so well a broad and deep prosperity as it has in the United States, where constitutional liberties have given it the opportunity to attain a sound growth.

There is one country in South America which, relieved of the pressure of a state church, is an outstanding exponent of what religious liberty can do. This is the small but important country of Uruguay. It will be dealt with in an article in the next issue of LIBERTY.



EWING GALLOWAY

Copacabana, Bolivia, on the Shores of Lake Titicaca, During Fiesta Time. Villagers Congregate in the Public Square Outside the Ornate Catholic Cathedral



Pennsylvania Avenue, Sometimes Called the "Avenue of the Presidents," as It Looked About Eighty-five Years Ago. A Central Strip Was Macadamized in the Material of That Day, but the Rest of the Street Was Just Plain Earth. It Was Not Until the Middle Seventies That the Avenue Had a Really Adequate Surface

## The Responsibility of the Individual to the Government

By **THE HONORABLE RALPH W. GWINN**

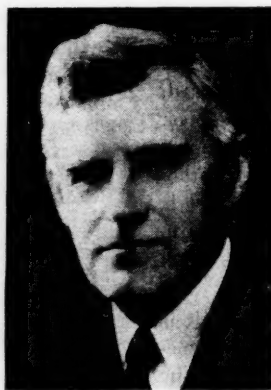
*Member of Congress From New York*

**T**HERE IS no more sacred entity on the face of the earth than individual man, who is created by God in His own image. Our allegiance is first to God, then to man.

Groups, organizations, governments, and society have no mind, no will, no conscience. Only individuals have these Godlike attributes. We recognize that each individual possesses a soul, and the goal of our Government is the protection of each man from the predatory practices and abuses of other men, groups, or governments.

We must all judge proposals for changing the structure of our society by what their effects will be upon the dignity and sacredness of each man.

We recognize that government possesses only one attribute which no other entity commands. Government has force. We stand firm in opposition to any attempt to substitute force for God and conscience.



Hon. Ralph W. Gwinn

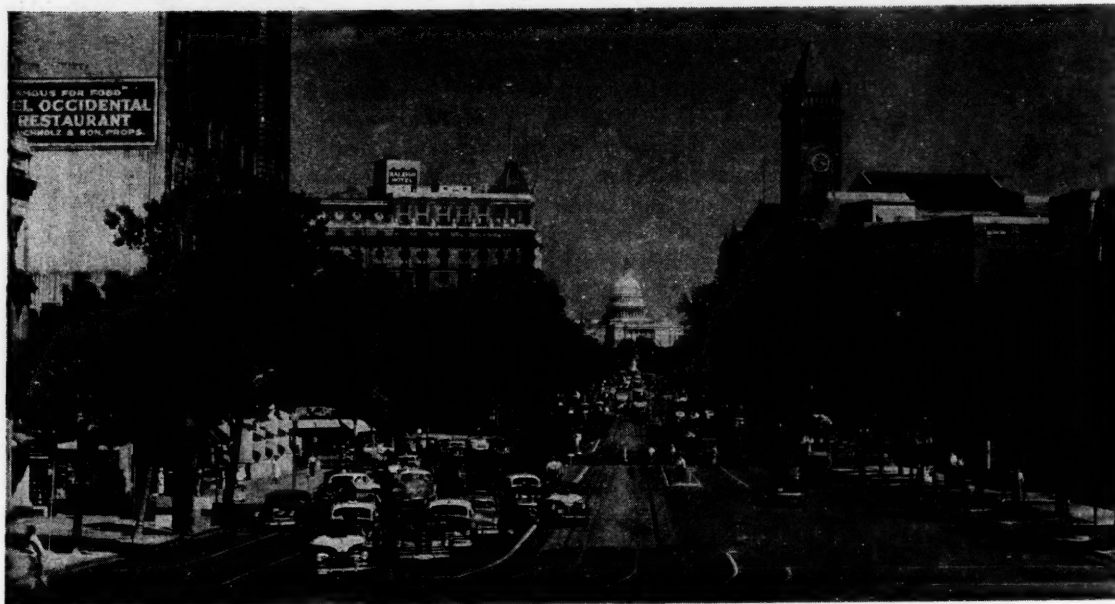
We hold that no group, agency, or government should be permitted to do any act which would be immoral, sinful, or unethical if done by an individual. It should be the constant aim of our Government to protect the few, the weak. The majority, the strong, can care for themselves. But this may not rightly encourage sloth, nor give to one what it denies another. The government's justice must be even-handed.

When some of Christ's disciples wanted to call fire down upon certain Samaritans who did not receive Him, Christ's rebuke was prompt

and severe: "Ye know not what manner of spirit ye are of."

It is as true today as then that those who seek to use force in the spiritual realm completely misunderstand the spirit of the gospel.

Even when the Israelites had a theocracy and were directly led of God through His prophets, they were



Pennsylvania Avenue as It Looks Today With Its Busy Traffic of Cars and People. Well-paved, and Lined With Parks, Government Buildings, Hotels, and Stores, It Presents a Far Different Picture From the One of a Century or Even a Half Century Ago. In 1792 Lots Were Sold to Raise Money for the City's Construction Under Terms and Conditions Declared by the President, George Washington. It Is Said That He Made a Requirement That No Building on Any Avenue in the City Should Be Less Than Thirty-five Feet High

not satisfied. In the eighth chapter of First Samuel is the account of how the people of Israel grew weary of personal responsibility and freedom. They said, "Make us a king to judge us like all the nations." The Hebrew people asked Samuel for a strong man "that we may also be like all the nations; and that our king may judge us, and go out before us, and fight our battles."

In all ages men seem to have been beguiled by the thought that their personal responsibility can be escaped by some means or other. The prophet Samuel made clear that under the king they sought, their sons and daughters would be taken and terrible taxes imposed, but they still cried for a king to fight their battles.

America now faces the danger of giving up life's most precious gift for a phantom. Benjamin Franklin wisely said, "Those who would give up essential liberty to purchase a little temporary safety, deserve neither liberty nor safety."

Citizens of the United States should be careful lest they be bewitched today by the promises of political or ecclesiastical leaders.

The messages of Christ and His rule of love and law for the good of society were not heeded. People preferred to submit themselves to the compulsions or promises of whatever mortal men showed any signs of being able to provide for them what they wanted. To be heard at all, Jesus was compelled to perform miracles to provide drink and raiment and food and health for them. Because of these things, and these alone, they clamored to make Him king.

Within a week after they were sure He had definitely refused to exercise the power of the worldly political state to provide for them as He had shown by His miracles He could do, they crucified Him. A week before they had sung hosannas to Him.

Christ's proposition for political, economic, and religious government of the people was scarcely tried at all until nearly eighteen hundred years later. Then a society of pioneer men and women in a new world, accustomed to governing themselves according to Christian disciplines, formed a government of strictly limited functions. It was to protect the rights of the people and their property and all their pursuits. By a most formal document they made it impossible for their government to assume to be God and take responsibility for the people. Thus they created a government for believing free men—men free to worship as they pleased, men free to discuss and persuade in religious matters, but never to use force.

I have often spoken concerning economic freedom. I have done this because I am sure civil and religious liberties are what someone has called them—Siamese twins; neither can survive if the other dies. I have been alarmed at the developments of the day. If political leaders in government own or control all the income of the people, how long will our churches remain free? What will happen to men in the pulpit who dare to challenge the decisions of the political managers of our worldly goods? People will still be able to think as they like, of course, but what religious *actions* will they be allowed to take? What financial support will they be able to give to church education, or press, or



to church building? *How long can church and state remain really separate?*

As the state takes a larger and larger share of our production, it plays a larger and larger part in our lives, until it manages all of our lives. When it can tell people what kind of potatoes they may eat and how much they must pay, it will soon tell the preacher what he may say, and how much he can be paid.

Freedom is indivisible. Without freedom of speech and of action there is no freedom. We cannot serve two masters—force and freedom. Force does not compromise. Freedom is Christian. It is the free exercise of the conscience in all matters that pertain to man's relationship to God. Man must be free to follow his own conscience as long as what he asks for himself does not contravene the equal rights of others. To preserve liberty, we must love it far beyond material security or prosperity.

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### *Washington Sesquicentennial*

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## **The New Memorial Amphitheatre in Washington, D.C.**

WASHINGTON'S new Memorial Amphitheatre, hewn from a natural bowl in beautiful Rock Creek Park, has just been completed in time for the celebration of the founding of the nation's capital in the District of Columbia a century and a half ago. Handsomely built of native rock and limestone at a cost of more than \$350,000, the fan-shaped arena provides perfect vision for four thousand persons and has exceptional acoustics. With the aid of properly placed amplifiers, every person in the audience is

said to be able to hear as clearly as if he were within five feet of the stage.

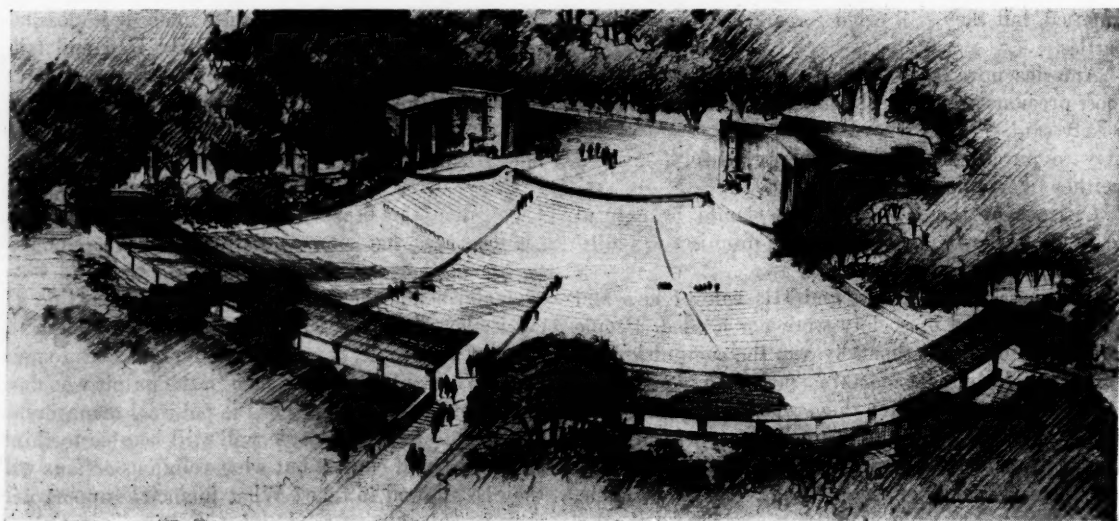
The stage itself is of solid concrete, with new and unusual devices incorporated into the architectural plans to allow for the anchoring of scenery to the floor. In keeping with the latest theories in the relationship of the orchestra to the audience, the architects have submerged the orchestra pit beneath the stage—a feature that aids in shielding the audience from flashing lights and distracting movements among the musicians.

In the event of sudden rain showers during a performance, a shelter has been provided at the rear of the arena which will protect approximately 2,500 persons.

A colorful pageant-drama, "Faith of Our Fathers," by Paul Green, scheduled to have its world premiere at the amphitheatre during the city's sesquicentennial celebration, is based on the most momentous events in the life of George Washington. The symphonic play vividly portrays the benevolent, enduring, wise, and just character of the father of our country and depicts his contributions to the fiber and strength of our democratic way of life. It is a revealing story that brings a new concept of the unrelenting struggles of one man, who, in his unspired role as liberator of an oppressed people, could and did weld thirteen recalcitrant and divergent colonies into one nation with one resolve.

Twenty-one women of historic Williamsburg, Virginia, worked three months at a battery of sewing machines to create the 350 authentic early American costumes used in the pageant. Forty-eight costumed singers—one voice representing each State—adds to the impressive presentation.

Surely there could hardly be a more perfect setting or a more inspiring story for such a festive occasion as the National Capital Sesquicentennial celebration!





H. M. LAMBERT

## Public Financial Aid to Parochial Schools

By **THE HONORABLE ANDREW JACOBS**

*Member of Congress From Indiana*

THE Honorable Andrew Jacobs is a Member of Congress from Indiana. He is also a member of the Catholic Church. A number of months ago Mr. Jacobs made a statement concerning his views regarding government aid—Federal or State—to private or parochial schools. At that time many of the newspapers carried a part of this expression of his opinion, but we did not happen to see one that had all of it.

Naturally what he said aroused controversy. Some of the members of his own church were bitter in their denunciation of him and the stand he took.

Recently we interviewed Mr. Jacobs and asked him to write for us on the subject of government aid to private and parochial schools. In reply he said, "I do not know what more to say. What I said before still stands and I do not believe I could add anything to it."

He has given us permission to use the following, which appeared in the *Congressional Record*, and we believe our readers will be interested in it.—EDITORS.

**I**T IS GOOD POLICY that the public consider well public questions before final decision. It is particularly essential that such questions be viewed from every angle before decisions are made, either by the individual in private life or the representative in Government.

By virtue of my position, the question of Federal or public aid to parochial schools has come squarely

**THIRD QUARTER**

before me for decision. As one of 25 members of the House Committee on Education and Labor, it becomes my duty to help perfect the measure for Federal aid to education. Accordingly I have given this question my careful consideration and measured judgment.

Early this year I stated that in my opinion we could not wisely, nor constitutionally, use public funds in support of parochial schools.

Unfortunately a hostile press interlarded into my remarks hostile words, which were later admitted to be incorrectly reported by the reporter in question. I reiterate a total absence of any feeling of hostility toward any school system, public, private or parochial. My position is based upon fundamental principles of our conception of government.

I shall, therefore, take up the various views and state my opinion of them.

I

The first is that exclusion of parochial schools from Federal aid is discriminatory.

We must distinguish between aid to the individual child and aid to the parochial school. For example

**Leave the matter of religion to the family altar, the church, and the private school, supported entirely by private contribution. Keep the church and state forever separate.**

**—Speech by U. S. Grant at Des Moines, Iowa, Sept. 29, 1875.**

the hot lunch program is available to all children, including those in parochial schools. Already passed in the Senate is a health bill for all children. These benefits are to go to the child and are not directly connected with his teachings. I would deem standard approved secular text books in the same category as well as the right to ride a school bus upon a scheduled route. Establishment of a separate or special school bus route for the parochial school would, in my judgment, violate the principles hereinafter stated.

Whatever can be constitutionally done to aid a child will win my support. However, I cannot, and will not, support any measure that grants public financial aid to private or parochial schools.

Religious freedom is a two way street. We are free to establish and utilize our parochial schools or utilize public schools, as we choose. But the right to establish private schools does not imply the right to public financial support thereof. We have the right to build and maintain our churches, but not to build or maintain them with public funds. Our parochial schools are an adjunct of our religion, established for educational use instead of using public schools, solely for sake of the child's religious training.

As long as we have the same right to send our children to public schools as anyone else, we are not discriminated against, and as Catholics we do not have a right to a separate publicly supported school system, nor does any other group of people have such right.

11

The second argument is that Catholics are double taxed.

This argument is based upon the fact that Catholics pay public taxes and also support their parochial schools. Hence it is argued that contributions, tuition, etc., to parochial schools are a tax, but it is not a tax imposed upon them by government. Again the public schools are maintained at public expense and all children are entitled to attend. The fact that we provide for ourselves something we prefer rather than to use that which the public provides does not warrant us in demanding that the public pay for what we voluntar-

ily choose. What we pay for what we voluntarily choose is not a tax, hence we are not double taxed.

III

Thirdly, it is argued that parochial schools are accredited, hence legal, hence entitled to public support.

Indeed, this argument answers itself. Certainly, every activity that is legal is not entitled to public support.

But in this argument we can find material for a great lesson. The Oregon case is stoutly relied upon. There the United States Supreme Court held invalid an Oregon law actually outlawing parochial schools. Hence the hate of Klan days failed in 1925. The decision was applauded by every tolerant American. But there was no question of public support of parochial schools presented, considered, or decided. Rather it was the preservation of the right of parochial schools to exist. Again the legal right to maintain parochial schools does not establish the right to public maintenance. To so argue is to say with one breath, our parochial schools are in the public-school category, for the purpose of public aid; while in the next breath we stoutly maintain our right to parochial schools for the purpose of religiously training our children. However, when we put our parochial schools in the public-school category for one purpose, we do so for all purposes, and we must then comply with public-school regulations which forbid sectarian religious teachings therein.

The issue is clear. Either you keep parochial schools and maintain them or take public funds and convert them into public schools, and they will then no longer serve the religious purpose for which they were established.

#### CONCLUSION

In 1927 one Charles C. Marshall challenged the qualifications of Gov. Alfred E. Smith to be President. Marshall contended Governor Smith would be subservient, in the discharge of his civil duties, to the church. Governor Smith replied publicly as follows:

"I recognize no powers in the institutions of my church to interfere with the operations of the Constitution of the United States or the enforcement of the law of the land. I believe in the absolute freedom of conscience for all men and in equality of all churches, all sects and all beliefs before the law, as a matter of right and not as a matter of favor. I believe in the absolute separation of church and State and strict enforcement of the provision of the Constitution that Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof. I believe that no tribunal of any church has any power to make any decree of any force in the law of the land, other than to establish the status of its own communicants within its own church.

"I believe in the support of the public school as one of the cornerstones of American liberty. I believe

LIBERTY, 1950



in the right of every parent to choose whether his child shall be educated in the public school or in a religious school supported by those of his own faith."

At that time, when the embers of the fiery crosses were smoldering, we all applauded and adhered to Governor Smith's statement. Shall we now give plausible excuse to the resurrection of the old Klan spirit, by demanding a breach of the fundamental law of the land for our immediate and doubtful benefit?

This thought is so well expressed in the two letters which I received from Mrs. Eva MacDonald Smith, of 3554 Sydney Place, San Diego, Calif., that I, with her permission, reproduce them here:

"MAY 16, 1949.

"DEAR CONGRESSMAN JACOBS: As a Catholic, a long-time member of the Catholic Daughters, and one of a family which has given three priests and a religious to the church, I wish to congratulate you on your far-sighted and truly spiritual stand with reference to the financing of our parochial schools by Federal grants.

"No doubt you have received some protests from members of our faith, but many more Catholics than you think agree thoroughly with you that the moment we permit civil authorities to preempt any control whatever over Catholic education—which is what we are doing the moment we accept their money—on that instant we sell our birthright for a mess of pottage.

"This is so clear to me that I am amazed some of our clergy fail to recognize the fact. The day Catholics consider it too great a burden to support the splendid school system which is the bulwark of our faith will be a sad day indeed for the church. Millions of dollars from outside sources are poor security for the church compared to the devoted faith of other days, the faith of our fathers which counted every sacrifice a privilege when borne for the sake of holy mother church.

"Again, thank you.

"Sincerely,

"EVA MACDONAGH SMITH."

"JUNE 1, 1949.

"DEAR CONGRESSMAN JACOBS: Yes, you are at liberty to use any letters of mine in any way that may serve. I should be only too glad if they could be put to service.

"Many Catholics feel that their fellow church members are not thinking through the implications of the situation. There are values greater than the material, and it is exactly these which we believe would be sacrificed if we were to sell short the faith of our fathers for 30 pieces of silver.

"By way of background I may say that my uncle (deceased) was a dearly loved pastor in Nebraska for many years, and I have a beloved sister in the convent. Our family is not convert, but has been Catholic as far back as can be traced, and has given many sons

Government Subsidies  
to Education Will  
Ultimately Mean Gov-  
ernment Control



THIRD QUARTER



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and daughters to the church. Generations have held the faith through all struggles and vicissitudes. Yet we believe that never, as in the days of its greatest misfortunes, has the church stood in such danger as now, in its heyday of power and wealth.

"This danger is not from without but from within. It is the danger of substituting material values for the spiritual, of selling for a mess of pottage our sacred birthright, bought with the blood and tears of the heroic dead.

"Thank you for the privilege of speaking so freely. You are a man of courage and insight, deserving the

gratitude of all Catholics who place the spiritual ahead of the material values—and they are many.

"Sincerely,

"(Mrs.) EVA M. SMITH."

I trust that all Catholics will think sincerely on this serious question, and conclude what is best for the church as well as their country. And may I ask you, how could we, as Catholics or as Americans, applaud Governor Smith's statement in 1927, and disagree with the views stated herein?

## On Becoming an American Citizen

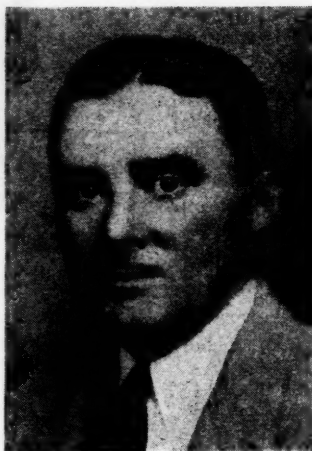
By THE HONORABLE STEDMAN PRESCOTT

JUDGE STEDMAN PRESCOTT is one of the justices of the Sixth Judicial Circuit of Maryland. It has been the privilege of members of our editorial department to appear at different times in his court as sponsors of applicants for citizenship. Being impressed with Judge Prescott's observations concerning the opportunities that America offers, and his comments concerning the obligation that citizens owe to the Government, we asked him to prepare this article for us.—EDITORS.

**I**N THIS JURISDICTION it is customary for the Court to address you with a few remarks before considering your respective petitions.

The importance of the action anticipated by each of you cannot be overestimated. When a person severs his or her relationship to the country to which he or she owes allegiance, and pledges fidelity to another, everyone spontaneously realizes the greatness of the consequences that may result. This never should be done for selfish reasons or ulterior motives. Frequently one is required to make great sacrifices therefor, and at times it is necessary for wives and mothers to give their loved ones in defense of the country of adoption. Next to your love of your God should come the love of your country.

It should be undertaken only after a thorough understanding of our form of government and what it stands for. We have here a country "conceived in liberty and dedicated to the proposition that all men are created equal." This does not mean that everyone is



HARRIS & EWING

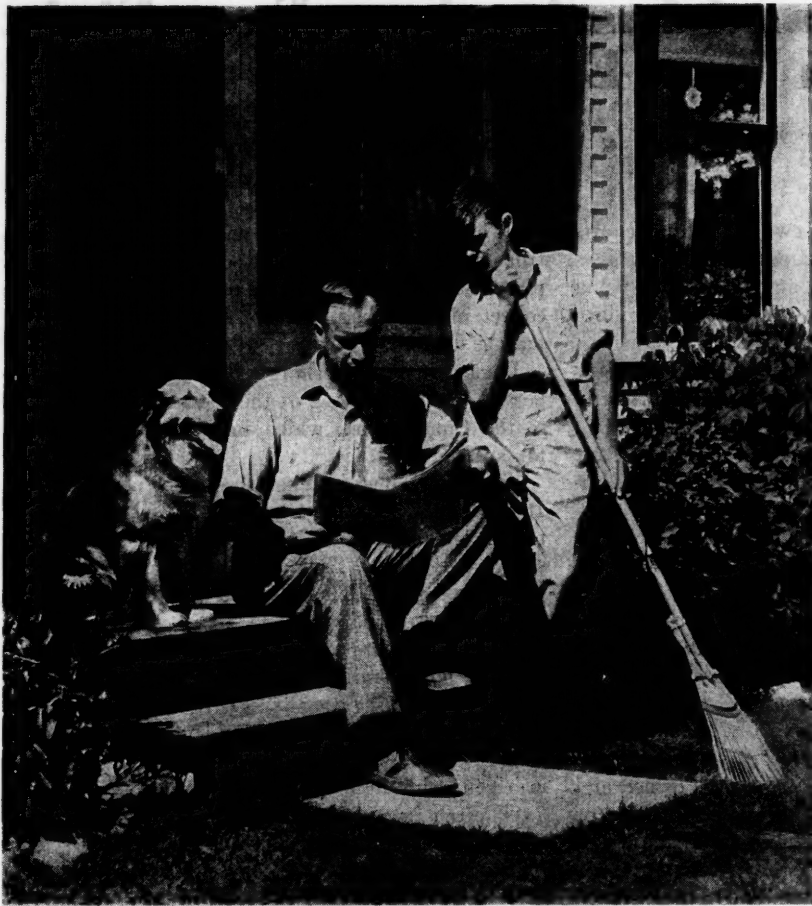
Judge Stedman Prescott

born with the same amount of physical or mental ability; it means that in relationships to government every person here stands on an equal footing. Unlike a great many other countries, we believe that all government is for the benefit of the individuals composing it, and that it derives its powers from the governed. Widespread happiness would result if the remainder of the world should arrive at the same conclusion.

We have in this country two documents that are cherished and revered by all true and loyal citizens. They are the Declaration of Independence and the Constitution of the United States. By the first we informed the world why we were severing our ties

with the mother country, and declared ourselves a free and independent nation. The latter, conspicuous for its brevity, is the supreme law of this land; and has guided a very large country territorially, with probably 150,000,000 souls, since its beginning.

I cannot relate all the privileges to which you will be entitled, but the following are a few. You will receive a full and cordial welcome from those of us who are already citizens. You will have all the rights, benefits, and privileges of all other citizens excepting that you cannot occupy the office of President. You will be entitled to freedom of speech and trial by jury, and you may worship God according to the dictates of your conscience. With these rights, however, come



H. A. ROBERTS

The Blessings of Liberty Have Produced in the Average American Home a Standard of Living Unequaled in the World

correlative duties. I shall mention a few. In your oath you will declare that you absolutely and entirely renounce and abjure all allegiance and fidelity to any foreign government. This does not mean that you must erase from your minds the love and affection you have for your relatives, or that you cannot continue to feel that your former country has contributed much to civilization; but it does mean, with the remainder of your oath, that you will support and defend the Constitution and laws of the United States against all enemies, including your former country. You should have in mind becoming citizens in fact as well as in name, actively participating in civic affairs, exercising your right of franchise and generally making yourselves useful and beneficial to your respective communities and your country of adoption.

If accepted, you may be justly proud of your new country. We are still a very young nation, a little over 160 years old. We started a new theory of government: that it is for the benefit of the individuals composing it, and that it derives its powers from the governed. The older nations scoffed at us, and did not think we could endure. Yet in a short space of time we have developed into the most powerful na-

tion in the world, with the living standards of its citizens the highest ever known to mankind. It may surprise you to know that we have the oldest unchanged form of government in the world. Most foreign governments are unwilling for their peoples to know what we actually have here. The everyday conveniences of our average home far surpass what are considered luxuries in most of the rest of the world. We are, and have been, on the side of liberty for the individual in every issue since we have been a nation. Although powerful, we have never fought a war of conquest. We have three thousand miles of border on our north, and at least one thousand miles on our

south; yet there is not so much as a machine gun on either side. Does anyone doubt our ability to conquer our neighbors? This is not stated with any idea of bragging; but to point out that it is not necessary for them even to try to protect themselves against us. Contrast the feeling of security of the residents of Canada and Mexico with the fear and uncertainty in Finland, Poland, and many other European nations. "Eternal vigilance is the price of liberty," is an oft-repeated quotation, but a truism; so it will behoove those who become citizens of this great nation to help in every proper way to see these salutary principles of government perpetuated.

I close by saying this country is honest and sincere in its thoughts concerning, and its actions and relationships with, the other peoples of the world and their governments. Its emissaries and ambassadors are taught to deal with truth and candor; and to abhor deceit and intrigue. If all other nations could see their way clear to have the same aims and desires, we would actually see the Christian maxim, "On earth peace, good will toward men" fulfilled; and the world would head into many years of peace, security, and happiness.



# Churches and Institutions Face Fight to Remain Tax Exempt

By C. S. LONGACRE

**T**HE RELIGIOUS NEWS SERVICE reports that churches and church-supported institutions which have been on a tax-exempt status are being scrutinized by the tax assessors in order to produce more taxes for the benefit of the state.

The State constitutions generally exempt property owned and operated by educational, religious, and charitable groups from the payment of taxes.

Some lawmakers claim that there is occasion for scrutinizing certain church organizations which operate profit-making properties and engage in commercial business in competition with public business, without incurring the tax liability of ordinary business enterprises. Some legislators hold that whenever a church organization invests its tax-exempt funds in anything which is in competition with ordinary businesses that are not tax-exempt, tax assessors should make inquiry into the practice, lest the church organization finally secure a monopoly of commercial trade and put tax-paying competitors out of business.

They argue that any enterprise, though owned and operated by a church organization for the purpose of profit making, whose manufactured products are in competition on the common market with products that are taxable, should be required to pay a tax. Only those church properties and incomes which are devoted to the support and maintenance of purely religious, educational, and charitable work should be kept on a tax-exempt status.

If a State or municipality incurs any expense in the maintenance of any institution owned and operated by a church organization, it is claimed the State or municipality has a right in justice to require the church organization to meet that expenditure.

## What Congress May Do

The Congress of the United States has authority under the Sixteenth Amendment to the Constitution to levy a tax on the income and property of churches. That Amendment expressly states that "the Congress

shall have power to lay and collect taxes on incomes from whatever source derived." This Amendment places no limit on the powers of Congress to levy and collect income taxes, nor the sources from which it may be derived.

Pegler, in the Pittsburgh *Sun-Telegraph*, December 13, 1949, speaking of the Sixteenth Amendment to the Constitution, which inaugurated the income tax system, says:

"The amendment makes absolutely no exceptions. It says, flatly, that 'the Congress shall have the power to lay and collect taxes on incomes from whatever source derived—.' That includes the collection plate and the poor box. There are no qualifying ifs, ands, butts nor howevers."

"Most of us appear to think that church income, to name one seemingly sacrosanct institution, is immune from the income tax.

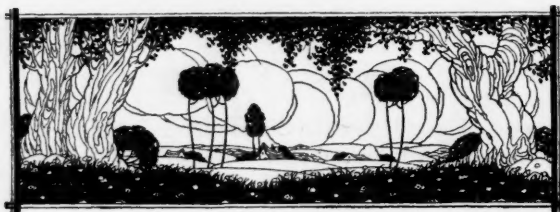
"It isn't. Church income may be totally confiscated at the will of Congress whenever Congress wills to crush church religion."

"Church income is exempt only by special terms of the successive internal revenue acts. These acts excuse it as a favor from Congress but not as a right of religion."

The *Evening World-Herald*, of Omaha, Nebraska, of October 12 and 18, 1949, disclosed that Thomas D. Campbell runs a wheat ranch in Montana of 95,000 acres valued at \$2,000,000, which until recently was "subject to the 38 per cent corporate income tax." Campbell sells and transfers his wheat farm to one charitable institution, which, in turn, is owned by another charitable organization that is capitalized for \$10 and is incorporated "exclusively for charitable purposes," called "The Sacred Heart Foundation Fund." The purpose of the Foundation as stated in the articles of incorporation is to help "various Catholic religious causes," and is therefore tax free.

The Omaha *World-Herald* also states that this same Sacred Heart Foundation Fund last year acquired title to \$4,800,000 worth of California cotton lands amounting to 35,000 acres in the San Joaquin Valley, and the capital stock is valued the same as the 95,000-acre wheat farm at only \$10, and likewise is tax exempt. The profits of the cotton crop as stated in the articles of incorporation are to give "financial aid to various Catholic religious causes."

The trustees of the Sacred Heart Foundation Fund, Inc., were originally listed as Mr. Diesing, three



Benedictine mothers, three Trappist abbots and Secretary of the Navy Francis P. Matthews, of Omaha. The priests and nuns have all resigned, and laymen have taken their places. Secretary Matthews has also resigned. Mr. Campbell, the wheat king, and Mr. Giffen, the cotton king, are to continue as managers of the property acquired by the Sacred Heart Foundation Fund, Inc.

Both the wheat farm and the cotton farm were incorporated as nonprofit, charitable projects, and are exempt from Federal corporation taxes.

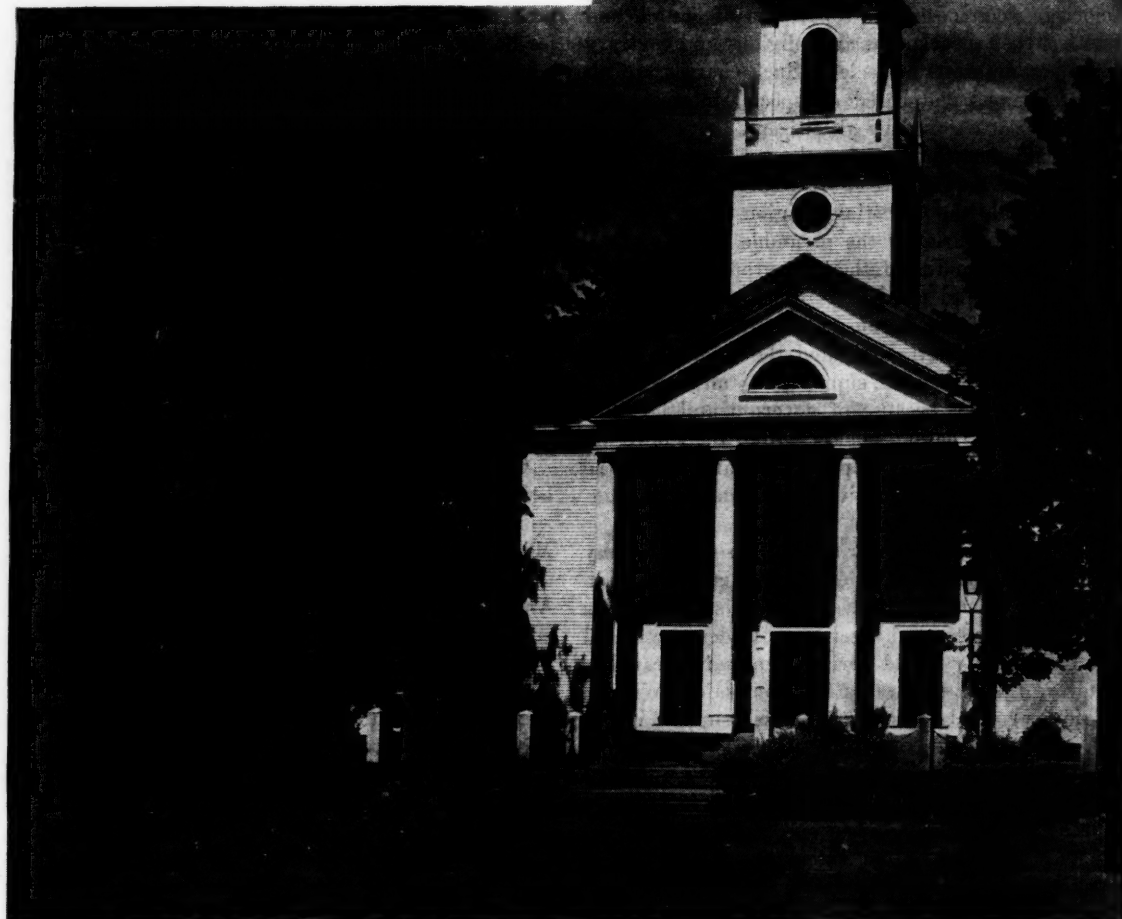
The *Washington Post* of November 13, 1949, states that both the fabulous Campbell wheat ranch in Montana and the equally fabulous Giffen cotton ranch in California are still operated by their former owners at salaries equal to their previous incomes, and that both these ranches have drawn Government farm loans this year, totaling almost five million dollars—so that “although the new owners [the Catholic Foundation] will not be required to pay the government taxes on the earnings, they, at the same time,

will be guaranteed by the government against loss in their operations.”

Speaking editorially on tax exemption, the *Christian Century* said a while ago:

“There’s a cloud on the horizon of a lot of ‘not for profit’ institutions and churches in this country, and it’s growing. The cloud is a mounting public resentment against the increasing taxes which ordinary

The Various Religious Organizations of This Country Have Been Generously Treated by the Government, Both State and Federal, in the Field of Taxation. This Magnanimity on the Part of Civil Authorities Should Be Appreciated and Not Abused



EWING GALLOWAY  
THIRD QUARTER

citizens must pay because so much real estate and such large amounts of business income and profits are tax exempt. A few years ago tax exemption for religious, educational and charitable institutions was taken for granted. If there was a little grumbling now and then, it was brushed off as the mumbling of congenitally disgruntled or freakish individuals.

Press and politicians saw to it that discussion of the question almost never reached the proportions of a public issue. They still try to do so, for they know a hot potato when they feel it sizzle their hands. But the conspiracy of silence is breaking down. . . . The day of reckoning is coming. Taxes are going up and up and up."—November 30, 1949, p. 1415.

## Are Our Public Schools "Godless"?

By CLAREMONT LOVINGTON

**T**HE CHARGE has repeatedly been made by some leaders in various religious organizations, both Protestant and Catholic, that our public schools are "godless" and "irreligious" because they do not impart religious instruction to the public school children. Similar epithets have been hurled at the American Constitution because the name of God and Christ and the Christian religion are not mentioned in the fundamental law of the land. Likewise the American doctrine of the separation of church and state has been attacked as antireligious and contrary to the best interests of society. Such charges are utterly fallacious and based on special interests and privileges not enjoyed by all citizens.

It is not true that the founders of the American Republic and the framers of our Federal Constitution were hostile to the Christian religion when they did not recognize Christ in the preamble of the Constitution. The founding fathers separated the church and the state, and refused to recognize any religion as the state religion, because of their friendliness toward religion. They eliminated the teaching of religion in the state schools, supported by all the citizens as taxpayers, not because of governmental hostility to religious instruction, but because of their devotion to the fundamental principle and guarantee of the free exercise of religion without governmental interference.

Whenever our new Government refused to give any financial support to religion and religious institutions, as was done under the established state religions in Colonial times, many religious leaders predicted that Christianity would perish. Benjamin Franklin, however, did not share this fear, but said, "When a religion is good, I conceive that it will support itself; and, when it cannot support itself, and God does not take care to support, so that its professors are obliged to call for the help of the civil power, it is a sign, I apprehend, of its being a bad one."

James Madison, often called the father of the Constitution, opposing any union of church and state, said: "Religion is not in the purview of human gov-

ernment." "Religion is essentially distinct from civil government, and exempt from its cognizance; . . . a connection between them is injurious to both."

After the Civil War, when the National Reform Association was organized, one of its principal objects was to try to "place all the Christian laws, institutions and usages of our government on an undeniable legal basis in the fundamental law of the land." President U. S. Grant, who held our highest executive post, must have seen the danger in such a proposal, for he said in a speech in Des Moines, Iowa, in September, 1875: "Let us labor for the security of free thought, free speech, free press, pure morals, unfettered religious sentiments, and equal rights and privileges for all men, irrespective of nationality, color, or religion; encourage free schools, resolve that not one dollar appropriated to them shall go to the support of any sectarian school; resolve that neither State nor nation shall support any institution save those where every child may get a common school education, unmixed with any atheistic, pagan, or sectarian teaching; leave the matter of religious teaching to the family altar, the church, and the private school, supported entirely by private contribution. Keep church and state forever separate."

Our state schools have no more right to teach atheistic theories than they have to teach religious dogmas.

The Supreme Court of the United States in the *McCullum* case ruled that "to hold that a state cannot consistently with the First and Fourteenth Amendments utilize its public school system to aid any or all religious faiths or sects in the dissemination of their doctrines and ideals does not, as counsel urge, manifest a governmental hostility to religion or religious teachings. A manifestation of such hostility would be at war with our national tradition as embodied in the First Amendment's guaranty of the free exercise of religion. For the First Amendment rests upon the premise that both religion and government can best work to achieve their lofty aims if each is left free from the other within its respective sphere. Or, as we said in the *Everson* case, the First Amend-





When the Religious Leaders of Nearly Two Thousand Years Ago Posed the Question of Allegiance, the Saviour of Mankind Replied. "Render Therefore Unto Caesar the Things Which Are Caesar's; and Unto God the Things That Are God's"

ment has erected a wall between Church and State which must be kept high and impregnable."

That the public schools are "godless" and "irreligious" and "atheistic," as is frequently charged by those who desire to have their own religious ideas taught at public expense in these schools, cannot be proved. If the state should teach religion, it would have to set up a certain standard and brand of religion, which by force of circumstances would be hostile to a large number of taxpayers, and as Thomas Jefferson said, it would be both "sinful and tyrannical" to compel a taxpayer to support religious opinions that are hostile to his faith.

To claim that the principle of a separation of church and state is a "godless" and "atheistic" theory is to charge Jesus Christ as being irreligious when He drew the line of demarcation between the duties we owe to the state and those we owe to religion by saying, "Render therefore unto Caesar the things which are Caesar's; and unto God the things that are God's."

To use civil force in the teaching of religion and the enforcement of religious obligation is obviously wrong. It cannot be defended. An alliance between the church and the state is a "godless" procedure and promotes "irreligion" among the people, because the use of force in the religious realm is contrary to God's plan of transforming and saving men. It makes martyrs out of nonconformists; while it engenders meanness and hypocrisy in those who sacrifice their conscience to save their skin. The only religion that is acceptable with God is a religion that emanates from the heart and is based on a voluntary and freewill service.

THIRD QUARTER

## What Is Un-American?

**I**N SPITE of our best efforts to be absolutely fair we sometimes receive letters that charge us with almost everything except having killed our grandmother. A postcard came in this morning which begins, "Because *Liberty* is an un-American publication," et cetera. Far from being un-American, the things for which the journal contends are the basic principles upon which the nation was founded and the loss of which would bring irreparable damages. Sometimes we are charged with bigotry simply because we find ourselves out of harmony with some of the teachings of the American hierarchy of the Roman Church.

We number among our friends good Catholics, devout and faithful to their church. We respect them, honor them, and would fight for their rights as quickly as we would for our own. It is too bad that so many people will not allow you to disagree with them without impugning your motives, questioning your intentions, and abusing you generally. What we have in the United States we did not come by easily. Those who founded this nation had faced all the evils that a union of church and state can bring about, and they knew what they were guarding against.

When we oppose the giving of public funds to any church, we think we are being kind to the church. The expropriation which some churches have suffered ought to be a warning to all religious bodies. "It is hardly lack of due process [of law] for the government to regulate that which it subsidizes."—U.S. Supreme Court, *Wickard, Secretary of Agriculture, v. Filburn*, 1943.

U. S. V.

# The Tribute to Washington on South Mountain, Maryland

***The Citizens of Boonsboro Built a Monument to His Memory Just Twenty-seven Years After His Death***

**By S. M. HARLAN**

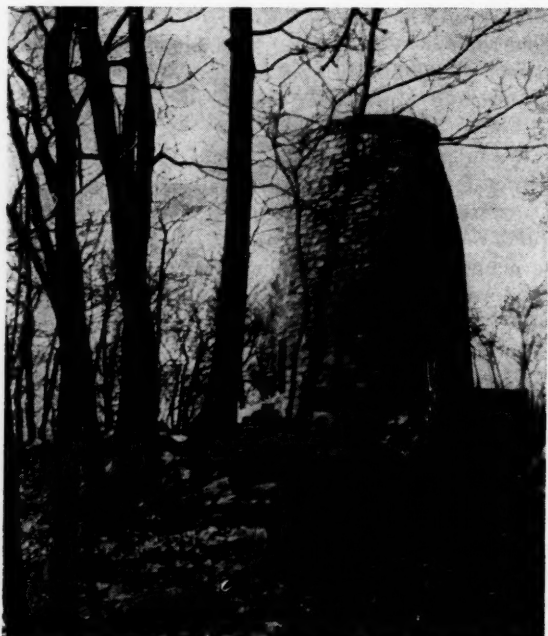
**I**T is a natural desire of the human race to perpetuate the name and honor the memory of great leaders and important events. This has been especially true of our first President, George Washington, for, besides a State, scores of counties, cities, townships, and avenues bear his name. In fact, the first county to take his name was created by an act of the Maryland legislative body in 1776. Among the cities the most important, of course, is our own national capital, that this year is celebrating its sesquicentennial.

Back in the year 1827 a feeling of pride and satisfaction filled the hearts of certain stalwart pioneers in western Maryland. They rejoiced in the fact that they were now citizens of a free and independent nation. Here they had built their homes and tilled their land. Half a century before, some of them had fought in the armies of the Revolution under their beloved commander in chief, General Washington. Just before them was the anniversary of that day in 1776 when

the Declaration of Independence was signed in old Philadelphia. How would they celebrate the day? Would they spend it as usual in leisurely pleasure? Someone suggested erecting a monument to honor Washington. The idea immediately caught fire. Although plans were under way in Baltimore on a similar project, they would be the first to build a shaft to the memory of the man who, by his unselfish life and indomitable will, had led a poorly clad and poorly armed but brave little army to victory over a foreign foe. Just four decades had passed since that same general had presided over a convention that had written a constitution to guide the destinies of this their beloved country. To him they would do honor. For him they would spend the day.

Early in the morning of July 4, 1827, the citizens of Boonsboro and vicinity assembled in the public square. There they formed themselves into a column. With a fife and drum corps, and the national colors at their head, they marched with stately steps to the base of the hill. Then began the ascent up Blue Rocks to the very top of old South Mountain. The spot had been previously selected, and the materials, native stone in abundance, were at hand. A little more than the foundation had been laid the day before; consequently they were enabled to proceed without delay to the grand design before them. The men worked with ardor and zeal. They became enthusiastic about the task they had undertaken. Noon came, and when the men stopped for a little rest, an aged minister of the Revolutionary period mounted one of the newly formed steps. Although fatigued by the sixteen-hundred-foot climb, he nevertheless accomplished the purpose of his heart by extolling the workmen for their patriotic and noble work.

After partaking of a cold meal and pure water they resumed their self-appointed task. By four o'clock they had completed what they had set out to do. A few observations were made, and then one of their number, mounting an elevated spot, read aloud the Declaration of Independence. The final item of the day consisted in the firing of several salutes by infantrymen from the top of the newly built structure. They had sacrificed their playtime on this Fourth



T. K. MARTIN  
The Monument at the End of a Sixteen-Hundred-Foot Climb

of July day, but they had the satisfaction of having built, with their own hands, the first monument ever erected to George Washington. This structure measured fifty-four feet in circumference and was fifteen feet high. Later in the year an additional fifteen feet was added, carrying the height to thirty feet. It was finished off with a close-fitting coping.

As the shadows of evening began to place their soft blanket of twilight over the little town in the valley, a tired but satisfied column of citizens soon found their way home.

One of the battles of the Civil War was fought around South Mountain. It was logical, therefore, that this monument on the summit should be selected as an ideal observation and signal tower.

This "coffee creamer" memorial, as some called it, was erected on private property. In architectural style it was typical of the dwellings and other buildings of that period and locality. A spiral stairway in the center allowed passage to the top of the monument. From this vantage point one could see the hills and valleys of four States. In fact, many of the lands to the west that one could see in this wonderful panorama were sections of country that had been surveyed by Washington himself as a young man.

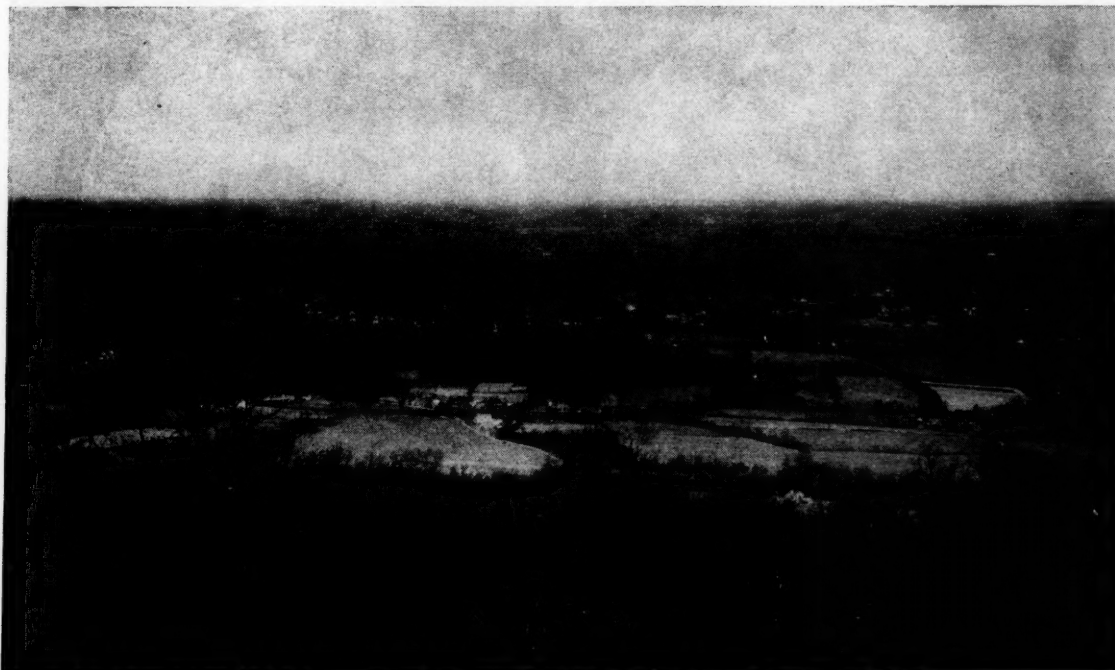
But gratitude has a way of fading. Memories become forgetful. Especially is this true of the younger generations when they are not fully informed. The little monument on the hill was almost forgotten. Interest was lacking. The elements and ravages of time soon brought this mound of stone to ruin. The tablet was shattered. The cornerstone had disappeared.

All honor to the Independent Order of Odd Fellows of Boonsboro. In 1882 this organization undertook the restoration of this neglected edifice. They added an iron-framed observation fence to the top, and constructed a road up the mountain to make more accessible this monument on the mountain.

But again, the elements brought this noble work to ruins; however, it was unthinkable that a monument to Washington should long remain in a neglected state. Soldiers of Washington's army had labored with their own hands in its original erection and had taken formal part in its dedication. Those mute stones, now fallen from their places, were only waiting to be called back again to their proud places in this the first monument to our beloved first President. The present structure, built in 1936, by an agency of the Government, is the third on the site. Never again will it be allowed to fall into disrepair, for now this monument, and the ground upon which it stands, is part of a State park, visited by many thousands of citizens each year. The picnic grounds in the park will seat a thousand persons at one time.

Edifices, cities, and avenues, yes, even this stone monument on South Mountain, are not enough to do honor to Washington. What he would most appreciate, we are sure, would be to know that the citizens of today love and cherish the principles of justice and freedom that he and his brave little army so nobly defended.

In the Picture Below One Can See the Town of Boonsboro as Viewed From the Lookout Platform by the Side of the Washington Monument. The Scene Embraces Parts of Four States: Maryland, Virginia, West Virginia, and Pennsylvania



CHARLES CAREY  
THIRD QUARTER



# Who Is Bigoted?

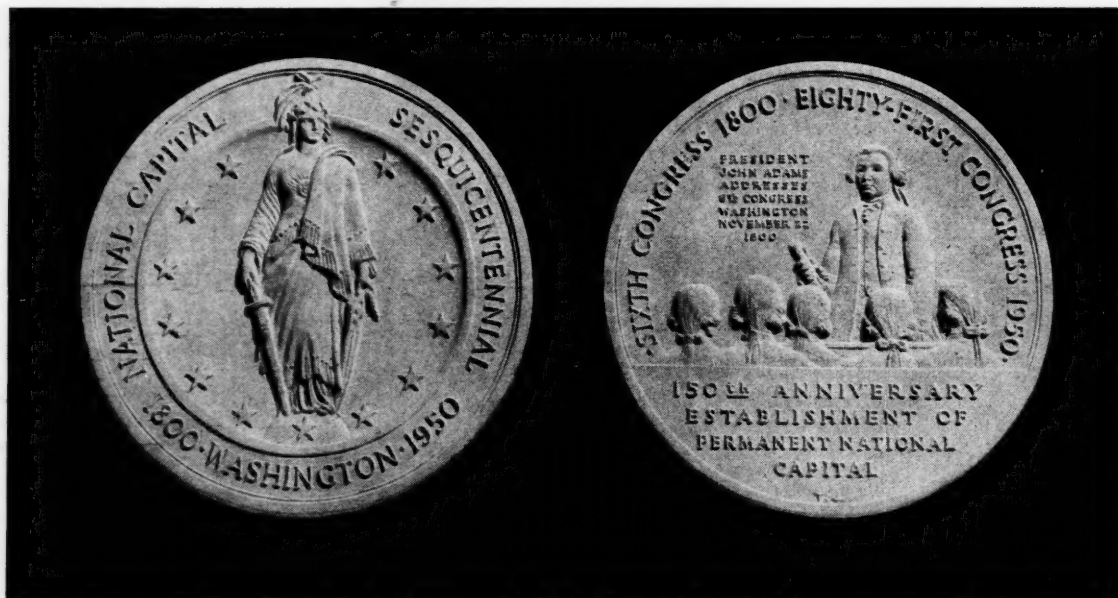
ONE of the journals that come to our desk charges that the opinion of Supreme Court Justice Black in the McCollum case, in which he forbade governmental assistance to all religions, is at bottom an agnostic legal philosophy. We have heard bigotry charged. We have heard ignorance charged. But this is the first time that anyone, as far as we know, has had the temerity to charge Mr. Black with following an agnostic philosophy. It is amazing to what limits men will go when they are thwarted. The foolishness of suggesting "an impartial governmental assistance to all religions" should be evident to anyone and everyone. To put religion into the mire of politics or, if some object to this expression, to unite the church with the civil power, is to invite discrimination. In the matter of aid to schools, for instance, is the assistance to be judged by the membership of the denomination, or by the number of pupils it has in the schools; or is it to be left to some political power to decide that one group must have more money because it has poorer equipment, and thus penalize those folk who have sacrificed to provide better facilities for their children?

It was a source of a good deal of surprise and much satisfaction to read a discussion on Federal aid by a Catholic writer, Robert C. Hartnett, S.J., in *America*, February 18, 1950. He called attention to

the alarm which has been sounded against giving Catholic children any public assistance on the basis that this may help Catholics to become a majority in the United States. Many people feel that if Catholics were in the majority they would deprive their non-Catholic fellow citizens of religious liberty. Father Hartnett frankly admits that certain Catholic writers have given justification for this feeling. He mentions Monsignor John A. Ryan's *The State and the Church* (1922) as a case in point. Monsignor Ryan had said quite baldly that if Catholics became a majority, they would put limits on the exercise of religious liberty by Protestants and others. Just recently Rev. F. Cavalli, S.J., in *Civiltà Cattolica* (April, 1948), said somewhat the same thing. Father Hartnett admits that this position grows out of certain traditions in Catholic teaching. But he professes to see a brighter side to the picture. He feels it is possible to deduct from Catholic sources principles of church-state relationships "much more in accord with American democratic principles."

We hope that our Catholic friends will draw from their teaching all they can find which agrees with "the American democratic principles," and we further hope that the ecclesiastical leaders will quit abusing those who disagree with them. This might lead to a better understanding all round.

H. H. V.



Commemorative Medal of the National Capital Sesquicentennial

In celebration of the event that made Washington the permanent capital of the nation in 1800, a beautiful medal the size of a silver dollar has been struck at the Philadelphia mint by authority of Congress. Designer Thomas Hudson Jones has placed the likeness of the statue of "Freedom" on the obverse of the medal and inscribed it, "National Capital Sesquicentennial, 1800 Washington 1950." The reverse depicts President John

Adams addressing the Sixth Congress in Washington on November 22, 1800, and bears the inscription, "150th Anniversary Establishment of Permanent National Capital." All who desire these handsome souvenirs may obtain them from the National Capital Sesquicentennial Commission, 1400 Pennsylvania Avenue N.W., Washington, D.C. A copper-bronze medal may be purchased for \$1.00 and a silver medal for \$5.00.

## Levisen Case Reversed by Illinois Supreme Court

LAST YEAR the newspapers the country over carried accounts of the case of Mr. and Mrs. Lincoln Levisen, of Greenfield, Illinois, who ran afoul of the law for failing to send their seven-year-old daughter to the public school. The Levisens were arrested and fined five dollars for violating the State compulsory school law, the judge remarking at the time, "You don't look like the sort of people we just put in jail." There was an appeal taken from the county court of Greene County to the Supreme Court of Illinois, which, on the eighteenth day of January, rendered the following decision, with only one of the seven justices dissenting:

"Docket No. 31133—Agenda 68—November, 1949.

The People of the State of Illinois, Appellee, v.

Marjorie Levisen *et al.*, Appellants.

"Mr. Justice Crampton delivered the opinion of the court:

"Defendants, the parents of a girl seven years of age, were convicted by the county court of Greene County for violating the compulsory school attendance law. (Ill. Rev. Stat. 1947, chap 122, par. 26-1.) They appeal directly to this court, contending (1) that the evidence is insufficient to sustain the conviction and (2) that the statute is unconstitutional.

"Appellants are Seventh Day Adventists in religion, believing that the child should not be educated in competition with other children because it produces a pugnacious character, that the necessary atmosphere of faith in the Bible cannot be obtained in the public school, and that for the first eight or ten years of a child's life the field or garden is the best school-room, the mother the best teacher, and nature the best lesson book.

"The father is a college graduate and a minister in his religion. The mother has had two years of college and some training in pedagogy and educational psychology. The evidence consists solely of a stipulation providing, *inter alia*, that the child would be in the third grade if she went to the public school; that under the direction of a Seventh Day Adventist institution the mother has been teaching her third-grade work at home for five hours per day and in addition teaches her vocal music; that the child has regular hours for study and recitation; and that she shows proficiency comparable with average third-grade students. The subjects thus being taught and the textbooks from which the instruction is given are set forth in detail. Further provisions recite that appellants refuse to send their child to the public school and that 'she does not attend and has not attended a parochial or private school.'

THIRD QUARTER

"The statute in question requires that 'Whoever has custody or control of any child between the ages of seven and sixteen years shall cause such child to attend some public school in the district wherein the child resides. . . . ' Provisions are then added exempting 'Any child attending a private or parochial school where children are taught the branches of education taught to children of corresponding age and grade in the public schools . . . ' Other provisions, not material here, make exceptions in cases of physical or mental disability, temporary absences for cause, and children over fourteen years of age who are necessarily employed.

"Appellants contend the State has failed to prove the child was not attending a 'private school' within the intention of the legislature. They argue that a school, in the ordinary meaning of the word, is a place where instruction is imparted to the young, that the number of persons being taught does not determine whether the place is a school, and that by receiving instruction in her home in the manner shown by the evidence the child was attending a private school. We agree with this construction of the statute. Compulsory education laws are enacted to enforce the natural obligation of parents to provide an education for their young, an obligation which corresponds to the parents' right of control over the child. (*Meyer v. Nebraska*, 262 U.S. 390, 400.) The object is that all children shall be educated, not that they shall be educated in any particular manner or place. (See *Commonwealth v. Roberts*, 159 Mass. 372, 34 N.E. 402.) Here, the child is being taught third-grade subjects, has regular hours for study and recitation, and shows a proficiency comparable with average third-grade students. There is nothing in the record to indicate her education is in any way being neglected. We think the term 'private school,' when read in the light of the manifest object to be attained, includes the place and nature of the instruction given to this child. The law is not made to punish those who provide their children with instruction equal or superior to that obtainable in the public schools. It is made for the parent who fails or refuses to properly educate his child.

"Although the language of the present act has not previously been construed by this court, the scope of similar statutes has been considered by courts of other jurisdictions. In *State v. Peterman*, 32 Ind. App. 665, 70 N.E. 550, the father of a child being taught in the private home of the teacher was prosecuted for violation of a law requiring children to be sent 'to a public, private or parochial school.' The child attended the teacher's home regularly and was taught all the branches taught in the public schools. The teacher did not advertise herself as keeping a private school, had no regular tuition fixed, and did not have, or desire to have, any pupils other than the defendant's child. The sole question was whether

the child was being sent to a private school, within the meaning of the statute. In holding that the parent had complied with the law the court observed: 'If a parent employs and brings into his residence a teacher for the purpose of instructing his child or children, and such instruction is given as the law contemplates, the meaning and spirit of the law have been fully complied with. This would be the school of the child or children so educated, and would be as much a private school as if advertised and conducted as such. We do not think that the number of persons, whether one or many, make a place where instruction is imparted any less or more a school.' (See, also, *Wright v. State*, 21 Okla. Cr. 430, 209 Pac. 179). Such construction of the words 'private school' is in accord with the policy of the Illinois statute.

"In concluding that appellants have not been proved guilty of violating the statute we do not imply that parents may, under a pretext of instruction by a private tutor or by the parents themselves, evade their responsibility to educate their children. Those who prefer this method as a substitute for attendance at the public school have the burden of showing that they have in good faith provided an adequate course of instruction in the prescribed branches of learning. This burden is not satisfied if the evidence fails to show a type of instruction and discipline having the required quality and character. No parent can be said to have a right to deprive his child of educational advantages at least commensurate with the standards prescribed for the public schools, and any failure to provide such benefits is a matter of great concern to the courts.

"The People maintain that under the stipulation appellants admitted their child 'does not attend and has not attended a parochial or private school,' and are therefore precluded from arguing that she attended a private school by receiving instruction in the home. This contention cannot be sustained. While stipulations of fact are always proper and binding upon the parties, a stipulation as to the legal conclusions arising from facts is inoperative. The court cannot be controlled by agreement of counsel on a related question of law. It is the province of the court to determine what the legislature meant by the term 'private school.' Indeed, the question whether the child attends such a school within the meaning of the statute is the very issue in the case. If we accept the conclusions contained in the stipulation then there is no question at all in the case as to whether appellants violated the statute. The parties themselves would have already determined that issue. In so far as the stipulation set forth facts as to the place and source of instruction and its nature and extent, it is, of course, binding upon the parties. But the legal effect of those facts in showing attendance at a private school within the contemplation of the legislature is a question of law for the decision of courts. Such matters cannot be affected by stipulation of the parties. *National Bank of Colchester v. Murphy*, 384. Ill. 61.

"As we have concluded that appellants' conviction cannot be sustained upon the evidence, it becomes unnecessary to consider the further contention that the statute violates the constitutional right of parents to direct the education of their child."

## EDITORIALS

### Illinois Divorce Law Unconstitutional

BECAUSE OF an increasing divorce rate, the Chicago Bar Association sponsored an act passed by the Illinois legislature known as the Domestic Relations Act. Under this law "a majority of the judges of the Cook County Circuit established a Divorce Division," which was to be of service to courts in actions for divorce.

"Part of the regular machinery of the Act was [that] the Court should . . . 'ascertain the possibility of effecting a reconciliation of the parties, and, where deemed feasible, . . . invite the assistance of representatives of the religious denominations to which the parties belong.' The procedure went into

operation in Chicago in December of last year, with minister, priest and rabbi aiding the court."

A suit was brought, the complainant charging that the act was unconstitutional. In declaring it unconstitutional the Supreme Court of Illinois said:

"In like manner and to a greater degree than in the *McCullum* case, by permitting a master in chancery to summon the minister, priest, rabbi . . . to a hearing for the purpose of effecting a reconciliation, the statute utilizes a tax-established and tax-supported instrumentality . . . to aid religious groups to spread their faith."

This was added by the Court:

"It is a matter of common knowledge that divorce is more abhorrent and reprehensible to some religious faiths than to others. Indeed some religious groups do not recognize the validity of a divorce decree rendered by a civil court."

H. H. V.



## **No More Masses in Austrian Railway Stations**

**T**HE AUSTRIAN Ministry of Railroads has prohibited the celebration of masses in railway stations. The reason assigned is that in view of demonstrations by some railroaders against these masses the ministry cannot "guarantee undisturbed celebrations of the Masses."

We regret any disorder. We hope that Communists are not responsible for the issuing of this order. We believe in religious liberty, and Communists have not proved to us by their acts that they have much regard for freedom of religion.

But we are pleased that the Ministry of Railroads has taken this action, because we believe in religious liberty. We do not favor any church using government institutions to propagate its peculiar faith, in Austria or anywhere else.

F. H. Y.

## **"The Bait on the Hook" and "the Cheese in the Trap"**

**W**E PUT THE BAIT on the hook to catch the poor fish, and we place the cheese in the trap to feed the mice, not because we love the mice, but because we want to catch them. That is exactly what the officials of the totalitarian, or "welfare states," do to us poor "suckers." They beguile us with fair promises of government "subsidies" and "grants" and "doles," provided we vote them into office and give them the power. They bait us on by promising us security if we surrender some of our fundamental liberties to them so they can grant us ultimately more liberties. They promise us more money for less work, greater security by sharing the wealth through taxing the rich, greater freedom from want, giving us something for nothing.

After we vote them the authority to exercise totalitarian powers, to rule us in all our activities of life, we discover that we voted away our freedom. Like poor fish that swallow the bait, we find the hook in our jaw, and they pull us around as they like. We find that one never gets something for nothing. We find that they did not feed us the cheese because they loved us, but they enticed us to nibble at the free cheese until the trap was sprung, and after that the feeding of free cheese stopped.

Government, like individuals, cannot afford to give you something for nothing for long without exhausting the public larder. The only thing you ever possess and keep as your own is what you yourself earn and produce. You always have to pay the fiddler and the piper of the tune. Free lunches, free bait, free cheese, and free tuition mean a hook in the mouth of the one who swallows the bait, the loss of freedom, and the administration of personal affairs by government bureaucrats.

C. S. L.

**THIRD QUARTER**

## **Sunday Radio Commercials**

**W**E ARE AMONG those, not small in number, who wish that so much radio time would not be used in seeking to persuade radio listeners to buy this and that. We know, however, full well that it is the money that comes from these inducements to buy this and that which enables the radio companies to furnish the music and what not that we *do* enjoy—just as we know that it is the income from advertising that pays the large part of the costs for most of the attractive magazines which we read at the comparatively low price of from 10 to 35 cents a copy. Not to mention the hundred or more pages of material in the Sunday newspapers.

This advertising and these radio commercials reach us on Sundays as well as on other days of the week. The Lord's Day Alliance of New Jersey does not like this, according to the State secretary of that organization. He proposes asking the Federal Communications Commission, an agency of the United States Government, to bar radio commercials on Sunday.

There can be only one reason for this—Sunday, as the Lord's day, is a religious institution. And this is just why the United States Government and all its agencies may not properly rule concerning anything that is done on Sunday which is otherwise legal and proper.

Too many of the States are on unsound ground constitutionally in adopting and retaining laws, religious in effect, concerning the observance of Sunday. The Federal Communications Commission and all other Federal departments and agencies will wish to maintain, by refusing to rule concerning Sunday-keeping, the constitutional principle of the separation of church and state.

F. H. Y.

## **Dishonesty Among Churchmen**

**T**HERE ARE some churchmen who claim that the state ought to pay from the general tax funds for the operation of private and parochial schools where religion is taught. They want, not only free lunches, free textbooks, free medical care, free transportation of the children to such schools, but also capital investments for the recreational and school buildings themselves. How can anyone claim, with honesty in his heart, that those "welfare services," as they call them, are not benefiting the church and relieving the church members of that much extra expense in the operation of religious institutions under the ownership and control of religious organizations?

Yet that is exactly the claim of many who advocate the passage of the Federal Educational Bills to provide for this "welfare service" in parochial schools. Of all people, churchmen should be noted for strict

honesty and sincerity in all they say and do. Yet if school boards of religious institutions receive state aid from the tax funds, the church budgets can be reduced to the extent that the state gives financial aid to the schools. If state aid is not granted, these expense items must be included in the church budgets. It is thus apparent that the churches are benefited to the extent that the state gives financial aid.

C. S. L.

## Church Schools and Public Support

THE REPRESENTATIVE COUNCIL ON EDUCATION of the Arkansas Education Association has approved the proposal for an amendment to the constitution of the State of Arkansas, prohibiting the use of public funds for church and private schools.

This is needed. Awhile back the Arkansas Legislature granted a sum of money to the State Pharmacy Commission to establish a school of pharmacy in a Protestant college in that State. This act is rightly being challenged in the courts.

A great deal has been said about the eagerness of the Roman Catholic Church to obtain support from tax funds, in one way or another, for its schools. It is just as contrary to the basic American principle of the separation of church and state for Protestant schools to obtain such support.

The citizens of Arkansas will through this proposal for constitutional prohibition of public support of church-related schools have an opportunity to exercise their function as guardians of religious liberty.

F. H. Y.

## Jehovah's Witnesses Mobbed in Wooster, Ohio

WOOSTER, OHIO, is a small, prosperous city between Columbus and Cleveland. It is surrounded by some good farm land and is populated by people we would naturally think belong to a stable middle class. What occurred in Wooster near the end of February last does not agree with what one would naturally think of the place.

The Jehovah's Witnesses rented the Wayne Theater for a three-day convention, beginning February 24. Maybe the trouble that occurred afterward would not have occurred but for the fact that the Witnesses wanted to rent the high school auditorium for their major meeting on Sunday. Representatives of the heads of four veterans' organizations sent open letters to the newspaper, objecting to the renting of the high school auditorium on the grounds that the members of this sect refused to "salute or pledge allegiance to the American flag."

Feeling ran high and bad blood was apparent. Cooler heads argued that the members of the Jeho-

vah's Witnesses had a perfect right to hold their assembly. Because trouble was feared, the mayor and chief of police conferred with convention officials on the morning of the second day and urged that they close their meetings. This advice was refused. However, additional policemen were deputized and the local national guard unit was alerted.

Late on the afternoon of the second day a uniformed officer who had attempted to disperse a crowd that had gathered across the street from the theater was attacked. Because the mob was increasing and becoming more threatening, Wooster's chief of police called for help from the national guard. By ten o'clock eggs began to fly. In a short time the front of the theater was splashed with broken eggs. The guards' uniforms were also well spattered.

Some of the rioters who professed such regard for the flag hung one upside down from the marquee of the theater during the Jehovah's Witnesses meeting.

To save them from bodily harm and to restore order, the police hurried the Witnesses out the back door of the theater shortly before 3 A.M. on the third day of the convention.

This whole incident was disgraceful. The opinion of better citizens was expressed by Colonel Julius Stark, the city's highest-ranking officer in World War II, when he said, "We are given the right of free assembly through our Constitution, and I think we should obey the law."

It is reported that a veterans' spokesman said, "None of the members of our four veterans organizations was in the crowd at the Wayne Theatre last night."

Mobs are always disgraceful in the things they do, and even some who participate in their lawlessness are ashamed of it afterward. Some sought to excuse the excesses, and laid them at the door of people "from out of the city." It is hard to believe that enough outsiders came into Wooster to successfully stage such rioting if its citizens had been as alert as they should have been to what was going on. Americans must not only believe passively in the things that are guaranteed by their Constitution but be quick to defend them even when to do so means protecting those for whose belief they have no sympathy.

H. H. V.

## Canada and the Vatican

IT IS REFRESHING to learn that the Board of Evangelism and Social Service of the United Church of Canada adopted at its last annual meeting a resolution opposing the appointment of an envoy from Canada to the Vatican.

The grounds upon which the board based its position are sound, in view of Canada's constitution. For the Canadian Government to appoint an envoy to

the Vatican, the central office of the Roman Catholic Church, would mean it was giving official recognition to one particular branch of Christianity, and showing "political discrimination in favor" of that church.

The resolution warned that dissension and national disunity would result, with no benefits. "We do not accept the view," declared the board, "that the Roman Church can be recognized as a formidable ally in the defense of democratic and religious liberty."

If these are sound arguments from the Canadian point of view, and we believe they are, they are equally sound for the United States. But added to these must be the point that in the United States there is constitutional separation of church and state. The

Papacy knows no such principle. It is a church, but it functions also as a political entity, ruling its acreage in the ancient city of Rome. Should the United States Government send an envoy to the Vatican, under the specious plea that there is a civil government seated there, it would mean to have an envoy at the seat of the Roman Church, with which the so-called Vatican state is identified in an indissoluble oneness. Hence the United States Government would be tied in a special sense to every Roman Catholic in the country through its head, the pope. This would be a direct contravention of the constitutional principle of the separation of church and state, and of the numerous Supreme Court decisions which clearly support this principle.

F. H. Y.

## NEWS and COMMENT

### Jehovah's Witnesses Denied Use of School Auditorium

IN OUR LAST ISSUE we referred to a case which had been decided in the Sixth District Court of Appeals in Ohio upholding a decision of the Wood County Common Pleas Court which refused the use of the Grand Rapids, Ohio, school auditorium to members of Jehovah's Witnesses.

An Associated Press dispatch from Columbus reports that the Supreme Court of Ohio declined to view the action of the lower courts.

### Public School Busses and Parochial School Children

THE QUESTION OF the use of public busses for the transportation of private and parochial school pupils has had a good deal of attention in Massachusetts lately. The custom has been followed for some time. Those who believe that this procedure is a violation of the principles of the separation of church and state circulated an initiative petition seeking the repeal of a law enacted in 1936 which allowed free bus transportation to other than public schools. In some quarters there were charges made that the signatures on the petitions were not all valid ones.

The *Catholic Universe Bulletin* of March 31 reports that "a bill which assures continued bus transportation for parochial and private school pupils was passed by the Massachusetts House of Representatives without debate and with only four dissenting votes."

"Known as the Sears-Rugg bill, the measure provides that free bus rides could not be denied to any pupil who 'in the exercise of his religious faith and fulfillment of the compulsory attendance requirement of the law, is enrolled in a parochial school.' . . .

"It is expected that the State Supreme Court will be asked to rule on the constitutionality of the Sears-Rugg bill."

### Hospital Trouble in Chattanooga

THE PROTESTANT PASTORS' ASSOCIATION of Chattanooga, Tennessee, adopted a resolution to "neither endorse nor encourage our people to support" Memorial Hospital.

What was the trouble? The hospital was to be staffed by the Sisters of Charity, a Roman Catholic religious order.

How was it being built? "Its entire \$2,500,000 capital investment" was to come "from public-spirited donors without reference to church affiliation."

Protestant clergymen were asked to read from their pulpits a letter saying that unless the hospital was held in public instead of parochial trust, it was not to have the approval of the Pastors' Association.

If the people of Chattanooga want to give to a Catholic hospital, nobody has a right to tell them not to. We object only when tax money taken from everyone is appropriated for a sectarian institution.

It is said that because of this agitation "one prominent citizen who had contributed earlier to the hospital fund increased his donation by \$10,000."



Not all the Protestant pastors in Chattanooga joined in the protest.

From this distance it appears that prejudice rather than principle prompted the pastors' protest.

### **Bequests Not All Taxable**

**I**N OUR NEWS AND COMMENT section of the last issue we carried a dispatch from Springfield, Ohio, concerning paying of taxes on masses.

We are in receipt of a letter from an attorney in Grand Rapids, Michigan, which contains this paragraph:

"I had occasion recently to look into the question here involved for a Catholic client and found that all such bequests are not taxable. It is true that if the bequest is paid in whole or by installments to the pastors of designated churches for the saying of masses, the entire bequest is taxable. If, however, the will provides that a certain sum of money be paid to — church for masses, and said sum is paid by check directly to the church and not to a pastor or pastors, the bequest is not taxable."

### **Quebec Mob Wrecks Protestant Sect Chapel**

**SHAWINIGAN FALLS, QUE., APRIL 13 (U. P.).**—Several hundred frenzied men, women and children, hurling stones, eggs and bottles, last night destroyed the interior of a makeshift Protestant chapel here.

The mob smashed into a converted store used as a chapel by the Christian Brethren Church. Members of the sect cowered in an apartment above the store while the rioters raged below.

Windows were smashed and drapes ripped from the walls. Hymn books were torn to shreds and tossed into the gutter. The pulpit and chapel furniture were splintered and thrown into the street.

Today Napoleon Longval, police chief of this predominantly Catholic town of 20,000 half way between Montreal and Quebec, said his night force of 15 men was powerless and that no arrests were made and none seemed likely.—*New York Daily News*, April 14, 1950.

### **Not on the Issue**

**P**UBLIC HIGH SCHOOL students, as well as Catholic parochial school students, have been carried by a Roman Catholic church school bus to a distance of some twenty miles to Hurley, Wisconsin. The priest in charge of the parish decided that if such aid were not given, these public school students "could not otherwise get to class." Father Higgins is quoted

as saying, "Here is a concrete example of true democracy, and strange to say, the people here do not seem to think that there is any union of Church and State."

Of course not; who could think such a thing? No tax monies are involved. If a Catholic wants to be kind to a Protestant, or a Protestant to a Catholic, what has that to do with a union of church and state? Again we say, "Nothing."

The practice of the golden rule by professed followers of Christ does not need state support and should not involve it.

### **Nuns in Public School**

**L**AST YEAR the treasurer of Logan County, Colorado, refused to pay two Catholic nuns for their services in St. Peter's school, which had been rented by the county and conducted as a public school. Apparently Mr. Alexander's action was prompted by a suit that had been filed by a taxpayer who charged that St. Peter's was actually a parochial school being supported by public tax funds.

Early in this year the nuns sued for payment of their salaries. The Catholic Church contended that religion was not being taught in St. Peter's school and that it had been "conducted entirely in conformity with the standards established by the state superintendent of public instruction."

An Associated Press dispatch from Sterling, Colorado, reported that "the district court . . . ruled against County Treasurer W. F. Alexander in the first decision which involved litigation stemming from an allegation that Catholic nuns hired as public school teachers have been teaching religion."

Whether this matter will be carried to higher courts we do not know at present.

### **Money for Church Work Raised by Gambling**

**A**CCORDING TO the Religious News Service a new method of raising funds for Roman Catholic schools and church buildings has been tried in London.

It is said that "football pools to raise funds for Roman Catholic schools and church buildings have been banned by local police in Lancashire, Yorkshire and Cheshire following protests by non-Roman churches against this form of gambling."

"In two cases, police have taken legal action and priests and lay organizers have been fined for sponsoring football pools."

"The police action came as a surprise to Catholic organizers who thought they had found a legal way of getting up the pools by restricting participation to the membership of a group."

"It is expected that one of the cases will be appealed before the High Court. Meanwhile, other or-

ganizers are said to be still searching for a legal loophole.

"There has been no authoritative statement on gambling by the Roman Catholic hierarchy, nor any condemnation of football pools as means to finance churches and schools. However, it is anticipated that a pronouncement will be issued soon."

## **The Welfare Program and the Kingdom of God**

WHEN DONALD SOPER, superintendent of the Methodist West London Mission, spoke in Toronto some time ago, he declared, "The welfare program of Britain's socialist government marks an obvious advance toward the Kingdom of God here on earth."

Though Christ relieved suffering while upon earth, restoring many to health, and feeding multitudes at times, the Scriptures say that "the kingdom of God is not meat and drink; but righteousness, peace, and joy in the Holy Ghost."

This quotation from the writings of Paul cannot justly be used as an excuse for failure of a government to care properly for its citizens, but what politicians do may be inspired by the most unworthy motives.

It is very questionable whether the officials of Britain's labor government are any more righteous personally than their predecessors in the conservative government were. There is far too much talk today of advancing God's kingdom by social reforms. The great apostle to the Gentiles undertook to save men by the foolishness of preaching. We are sometimes tempted to think that if more ministers would study the Scriptures and follow the teachings found in them instead of giving so much time to what has been called the social gospel, the kingdom of God would be really upbuilt in the earth. The simple practice of the golden rule would eliminate about all the evils that plague the world.

## **Persecution of Protestants in Colombia**

IN THE first quarter's issue of LIBERTY we carried an item from a newspaper published in Medellin, Colombia. The title was "The Colombian Bishops Speak on Elections. Clear Instructions Are Given to Catholics."

We have not learned whether or not all the candidates of the church were elected. We do know that there was a change in government and that the church group came into power.

Maybe there is no connection, but it is reported that Protestant missionaries in Colombia are now having a hard time. One group, the Scandinavian Al-

liance, has suffered so much that they have practically deserted Colombia and have fled into Venezuela. The treasurer-elect of the Board of Foreign Missions of the Presbyterian Church in the U.S.A. brought to the attention of the State Department and the Senate of the United States that persecution of Protestants is increasing in Colombia.

There seems to be a regular reign of terror against Protestant congregations and Protestant missionary families in many of the smaller towns and rural regions. If what we have read is true, Protestant services can be held safely only in Bogota, the capital. The top government authorities in Bogota profess that they are unable to stop the outrages.

Knowing well the power of the Roman Church over its adherents, we are convinced that if the church tried to stop this persecution, it could do so.

## **Religious Liberty**

HAD THE REPORT come from inside some Soviet satellite country, it would have been given little attention perhaps because it would have been so commonplace. But it came from Umadilla, Georgia, in the United States of America, traditional for its religious freedom guaranteed by the Constitution from the foundation of the Republic.

The reliable Associated Press reported from Umadilla that mysterious telephone calls had created fear that caused a Negro church to call off its planned special Easter service in which two white ministers were to participate.

As the Associated Press reported, for 200 or so members of Camp Creek Baptist church, Easter "was going to be a wonderful day, a day to worship Christ and to honor their 87-year-old pastor." Two white ministers, a Methodist and a Baptist, were to have small parts in the big afternoon services.

But, on Friday night, the Methodist minister received an anonymous telephone call and a man's voice warned him not to appear, and uttered an implied threat. The anonymous caller refused to say whether he was a member of the Ku Klux Klan. Meantime, it seems, other warnings reached leaders or members of the congregation and, as the AP reported, they "bowed to fear this Easter Sunday and called off their afternoon services."

Contemplate, if you can, the significance of that kind of thing happening in "the land of the free and the home of the brave," whose traditional freedom of religious worship and of assembly is and has been guaranteed by the Constitution throughout the life of the Republic.

It is apparent that somebody in Georgia has made a mockery of the American Constitution and of our boast of religious liberty.—Charlotte Observer, April 13, 1950.

## Federal School Aid Issue

AS THE House Labor Committee began hearings this week on the federal aid to education bill, it was apparent that the chance of getting this administration measure adopted is scant. Members of the committee appear to be as hopelessly deadlocked as they were last year when the \$300,000,000 aid bill, passed by the Senate, never got out of the committee.

In an effort to offset one of the admitted weaknesses of this controversial program, the National Education Association has shifted its strategy. The NEA now is emphasizing a provision stipulating that control of the schools be vested in the states. This proposal recognizes the inherent danger in federal control of education under a federal aid program.

It is axiomatic in government, as in private life, that whoever controls the purse strings ultimately dictates policies. Any assumption that the public schools would be an exception is merely wishful thinking. Experience suggests that the \$300,000,000 annual contribution to education, which would be authorized if the bill were passed, is only the beginning. Inevitably there would be demands for larger, and still larger, appropriations until ultimately the Federal Government would be expected to carry the major part of the financial load. Then, if not before, federal control of education in this country would be unavoidable, regardless of whatever safeguards might be set up.

The NEA, by its proposal for state control, tacitly concedes that federal control is not desirable. Yet it would risk bureaucratic supervision of the public schools to attain its objective, which boils down to higher salaries for school teachers. Conceding that teacher salaries and standards should be raised, there remains grave doubt that federal aid will assure them, any more than federal aid would automatically guarantee equal educational opportunities for all school children.

It is significant, too, that the bill receives its most enthusiastic support from the states which would benefit most—largely the Southern states. Those states probably cannot be expected to snub Santa Claus. Just why states like Texas, North Carolina, Kentucky and Alabama, all of which have grown rapidly in industry and tax revenue in recent years, should be subsidized at the expense of the rest of the country has never been explained.

There is need for more and better schools, but if the control and administration of them is to be fixed at the local and state level, then it should logically follow that the responsibility for financing them should also remain at the local and state level.—*St. Louis Globe-Democrat*, Feb. 8, 1950. (Reprinted by permission.)



### AN IMMIGRANT SPEAKS

"I am the youngest of America's children, and into my hands is given all of her priceless heritage. Mine is the whole majestic past, and mine is the shining future."

Mary Antin.

## Canadian Sunday Law Liberalized

IN OUR LAST ISSUE we reported that Windsor, Ontario, in a plebiscite of municipal elections, had opened the way for legal Sunday sports. Later Toronto, by a narrow majority, passed a similar measure.

The Canadian "Lord's Day Act" governs Sunday observance for Canada as a whole, but each province may enact permissive legislation.

Apparently the western provinces have been a little more liberal than those in the east.

## Churches in Politics

WE MAKE NO APOLOGIES for publishing Mr. Trohan's dispatch in Monday's paper, describing the growing pressure of religious organizations on government in this country. The subject, to be sure, is one which newspapers generally ignore. It ought to be brought into the open, however, because the religious lobbies are exerting an increasing influence on matters of state.

For our part, we believe that any breach in the wall separating church and state must prove damaging to both. We can see only harm in the religious lobbies and we believe that the men and women who have organized them would better serve their religions

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and their country by disbanding their pressure groups.

Government, as has often been said, is the art of compromising conflicting desires and opinions. Religion cannot compromise. When a religious body seeks to influence legislation, the mood is always and necessarily dictatorial. The man who knows the Lord's will on prohibition, divorce, or Zionism cannot in good conscience take less or examine the situation from other viewpoints. His is an attitude which is likely to arouse antipathy in those of other faiths and often prevents the reaching of otherwise satisfactory solutions.

Religious groups have sometimes been successful in promoting legislation and influencing administration in this country. We cannot think of a single instance in which good came of these efforts. We can think of many to the contrary.

The Protestant organizations which went into politics on behalf of prohibition succeeded in raising gangsters to power and in introducing hard liquor into homes and neighborhoods where it had never been seen before. Prohibition set back the cause of temperance by more than a generation.

The efforts of Catholic lobbyists to make the law of divorce conform as nearly as possible to the church's view of the subject have outraged numerous citizens of other faiths who feel that only Catholics should be bound by Catholic doctrine. The subterfuges and evasions practiced in the divorce courts of New York, where the Catholic church influence has prevented any liberalizing of the divorce code, surely are nothing to which the Catholic lobby can point with pride.

The successful activities of the Zionist lobby in Washington have not won our government the good will of Mohammedan nations whose friendship the United States should have encouraged; and, to the extent that Jewish influence promoted the impossibly harsh terms imposed on Germany after the war, the Jewish lobby in Washington is accountable for a great stupidity as well as a great cruelty.

These are illustrations of the fact that when the churches engage in pressure politics they do no good to themselves, their communicants, or their country. The church that goes into politics must expect to arouse new antipathies, give a new lease on life to old prejudices, and quite probably lead the government into otherwise avoidable mistakes.—Chicago *Daily Tribune*, Feb. 22, 1950. (Reprinted by permission.)

[This editorial is sure to arouse bad feeling on the part of some of our readers. It is not offered because of what it says about prohibition, divorce, or Zionism. We agree that churches as such have no right to interfere in politics, but individuals as such have every right to press their opinions upon government officials. Religion and politics do not go together, no matter what fine phrases the social gospelsers use.]

THIRD QUARTER



Someone has truly said that "it is the common fate of the indolent to see their rights become a prey to the active." Liberty is not offered on the bargain counter, even in our fair land. Far too many take it for granted. Liberty will be preserved only by our eternal vigilance. *Liberty: A Magazine of Religious Freedom* is working earnestly that the United States shall not go the way other nations have gone in respect to religious liberty.

Believing that many of our readers would like to aid the cause of religious liberty, we have prepared an order form that can be used in sending in lists of subscriptions. This coupon appears below.

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## A PARABLE ON INTOLERANCE

**I** And it came to pass after these things, that Abraham sat in the door of his tent, about the going down of the sun. And behold, a man, bowed with age, came from the way of the wilderness, leaning on a staff.

**II** And Abraham arose and met him, and said unto him, Turn in, I pray thee, and wash thy feet, and tarry all night, and thou shalt arise early on the morrow, and go on thy way. But the man said, Nay, for I will abide under this tree. And Abraham pressed him greatly; so he turned, and they went into the tent, and Abraham baked unleavened bread, and they did eat. And when Abraham saw that the man blessed not God, he said unto him, Wherefore dost thou not worship the most high God, Creator of heaven and earth? And the man answered and said, I worship not the God thou speakest of, neither do I call upon his name; for I have made to myself a god, which abideth alway in mine house, and provideth me with all things. And Abraham's zeal was kindled against the man, and he arose and fell upon him, and drove him forth with blows into the wilderness. And at midnight God called unto Abraham, saying, Abraham, where is the stranger? And Abraham answered and said, Lord, he would not worship thee, neither would he call upon thy name; therefore have I driven him out from before my face into the wilderness.

**III** And God said, Have I borne with him these hundred and ninety and eight years, and nourished him, and clothed him, notwithstanding his rebellion against me; and couldst not thou, that art thyself a sinner, bear with him one night? And Abraham said, Let not the anger of the Lord wax hot against his servant; lo, I have sinned; lo, I have sinned; forgive me, I pray thee.

**IV** And Abraham arose, and went forth into the wilderness, and sought diligently for the man, and found him, and returned with him to the tent; and when he had entreated him kindly, he sent him away on the morrow with gifts.

**V** And God spake again unto Abraham, saying, For this thy sin shall thy seed be afflicted four hundred years in a strange land; but for thy repentance will I deliver them; and they shall come forth with power, and with gladness of heart, and with much substance.

—Benjamin Franklin.

